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Lieut General Burr.

MEMOIR

OF

THE LIFE

OF

LIEUT. GEN. DANIEL BURR.

WITH A SUPPLEMENT,

CONTAINING

LETTERS; DOCUMENTS RELATIVE TO THE SUCCESSION TO THE ESTATES OF THE LATE DUCHESS OF NORFOLK; INSCRIPTIONS, &c.

LONDON:

PRINTED BY W. BULMER AND W. NICOL,
CLEVELAND-ROW, ST. JAMES'S.

1821.

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MEMOIR

OF THE LIFE OF

LIEUT. GEN. DANIEL BURR.

He was born on the nineteenth day of August, 1749, O. S. in the house of his father, Daniel Burr, Esquire, a gentleman of independent fortune, then residing at Ramsey, in the county of Essex. The grandfather of General Burr was possessed of very considerable landed estates in Essex, with a revenue of eight

thousand pounds per annum. The estates were formerly the property of Sir Thomas Davall, of Yarmouth, in the county of Norfolk, who married a Miss Burr. Their son, Sir Thomas Davall, Knight, married a Miss Lydia Catharine Van Hatten, and had by her two sons, who both died in early age, in consequence of which, the estates, by the Will of their father, were bequeathed to his cousin, Daniel Burr, Esquire, the grandfather of the General, and a respectable merchant in the city of Amsterdam, in Holland.

The Davalls were descended from an ancient and opulent family in the north of England; and Sir Thomas Davall, Knight, last men-

tioned, served as one of the burgesses for the town of Harwich, in all the parliaments which were held during the reign of King William, the royal consort of Queen Mary, and in the two first Parliaments of their successor, Queen Anne; he was also Recorder of that borough. Sir Thomas died in the month of November, 1712, and his remains were interred in the family vault in the parochial church of Ramsey. His wife survived him, and on the thirteenth of April, 1736, was married to the Duke of Chandos, and by that marriage added seventy thousand pounds to the fortune of that nobleman.

Daniel Burr, Esquire, lord of the

manor of Dovercourt, living in 1722, the grandfather of General Burr, married a lady of the city of Amsterdam, whose name was Elizabeth, daughter of Frederick Danchert, of Amsterdam, by Petronella his wife. They had issue two sons, Frederick and Daniel, and one daughter named Sophia Rebecca; the eldest son married Miss Barton, sister of Colonel Barton, a grand niece of Sir Isaac Newton; and the youngest son married Miss Elizabeth Davall, the only child of John Davall, Esquire, (cousin to Sir Thomas, before noticed,) who was the mother of General Burr. The daughter married a gentleman of the name of De Ron, residing at Frankfort on the Maine.

General Burr's paternal grandfather was an unfortunate speculator in the South Sea scheme of the year 1720, which involved so many in ruin; and among the numerous sufferers by the breaking of that extraordinary bubble, he must be mentioned, as he lost by it almost the whole of his ample fortune. The General's maternal grandfather resided also at Ramsey; he had a brother, Thomas Davall, Esquire, who left a freehold estate which he possessed in Essex, at Elmstead, near Colchester, to the General's brother, Captain John Davall, of the Royal Navy, which by his death fell to the General, and was sold in September, 1814, to General Rebow. General

Burr had part of a copyhold estate at Thorpe, in the county of Essex, the joint property of himself and his eldest sister, which was sold the 12th of August, 1803, to George Garnett Haske Munnings. The General likewise shared in the produce of a freehold estate in Norfolk, which was devised by his brother Thomas, to his brothers and sisters, and was sold. He had also a small freehold estate at Ramsey, near the vicarage, the place of his nativity, which he sold to accommodate Nathaniel Garland, Esquire, in 1804.

The young gentleman, whose future life forms the subject of this Memoir, commenced his education at the grammar school of Caven-

dish, in Suffolk, which he afterwards completed at an academy of reputation at Dedham, in the county of Essex. As he grew up, however, it appeared that his mind was influenced by a strong predilection for the Military profession, and accordingly he was, in the year 1767, appointed a Cadet on the Madras Establishment. He left England on the second day of January, 1768; arrived at Fort George on the sixth of July following, and joined the army then laying at Ouscotta, in the Mysore country, on the twenty-third of August, the day preceding the memorable night in which Hyder Ally, with a chosen body of six thousand horse, stormed the en-

trenchments of our allies, the Mahrattas, commanded by Morra-row, an independent chieftain, whose forces were encamped about a mile on the right of the English line. The British army was then under the command of General Joseph Smith, and in an actual state of preparation for the siege of Bangalore.

A very few days after Mr. Burr had joined the army as a Cadet, Captain, now Lieutenant General Sir Henry Cosby, who then commanded a battalion of Sepoys, paid him a visit at his tent, and after some introductory conversation, accompanied him to head quarters, and presented him to the Commander-

in-Chief, who, at the particular request of Captain Cosby, attached him to his battalion; the Captain then conducted him to his own tent, where he treated him with the most friendly and hospitable attention; and what was of unspeakable value to a young man situated as Mr. Burr then was, he added much admirable advice and important counsel for the regulation of his future conduct. Indeed it must be here mentioned, with those grateful sentiments which such kindness will indelibly impress on every well-constructed mind, that, from this period, Captain Cosby was so invariably attentive to Mr. Burr's interest and welfare, he lost no opportunity of proving him-

self an active and anxious friend; and in many subsequent circumstances of doubt and difficulty, Mr. Burr derived instructive guidance, effectual support, and heart-felt consolation, from his partial favour and zealous protection.

But without appearing to lessen the natural benevolence and well-known generosity of Captain Cosby's character, his conduct towards Mr. Burr may be primarily attributed to a family connection; Major Burr, of Bombay, who was a cousin of the young Cadet, having married a sister of that officer. To the personal comforts and advantages which he received from the patronizing regard of his friend, it may be added that

he derived no small advancement in professional experience, from being under the command of an officer, whose military judgment, and distinguished bravery, were as generally acknowledged, as they were duly appreciated by the army of the Carnatic. Mr. Burr remained with his corps till appointed to do duty with the third regiment of Europeans, under the command of Colonel Wood.

On the third of November, 1768, Mr. Burr received an Ensign's commission, and in a short time after his advancement, he marched with Colonel Wood's detachment to the relief of Oussoor, and was near his friend when he received a severe

contusion in his side by a nine-pound shot, at the cannonade of Arlier. From this period, Ensign Burr was employed in active and continual service with the troops in the field, and engaged in almost all the actions, which were very frequent, that took place, till the signing of the treaty of peace in 1769.

Ensign Burr says, that, to relate, minutely, all the interesting particulars which came under his observation, while serving with the army, in the years 1768 and 1769, would alone form a large volume. On first joining the army in the Mysore country, he had been advised and instructed by his friend to keep a diary of every day's transactions,

which he most scrupulously attended to, so that no circumstance escaped his notice which was not recorded, but unfortunately his labours were all lost, as will hereafter be mentioned.

Peace being concluded, the army separated and went into different garrisons and cantonments. The First European regiment, commanded by General Smith, to which Ensign Burr was now attached, was stationed at Tritchinopoly.

On the nineteenth of September, 1770, Ensign Burr received a Lieutenant's commission, when he was removed from the European regiment to a battalion of native infantry.

In June, 1771, he was detached, by order of the Commander-in-Chief, with a company of Sepoys, to garrison Aylore, a small fortress, forty-five miles west of Tritchinopoly, on the banks of the Colaroon, and the frontier of Hyder Ally's country, with instructions to employ and send out active and well qualified persons towards Carroor, and other parts of Hyder Ally's territories, that Chief being then at war with the Mahrattas, to obtain all necessary intelligence, and to maintain a regular communication with head quarters.

Lieutenant Burr conducted this service so entirely to the satisfaction of the General, that he honoured

him with an assurance of his intention to recommend his conduct, in the strongest manner, to the attention and favour of the Board at Madras. In the command of this station, where he had so effectually exerted his vigilance and activity, he remained until the troops had assembled on the plain of Tritchinopoly, for the siege of Tanjore, when he was recalled to join his battalion, at that time, encamped with the army.

All the necessary preparations having been made, magazines established, and every department amply supplied, the army moved forward early in September, and having re-

duced Vellum, encamped before Tanjore.

This important fortress, which is very strong both by nature and art, was taken by escalade, though a battery of six eighteen pounders had been opened upon it the greater part of the day, within two hundred and fifty yards of the fausse-braie, by a small party of Sepoys, led on with irresistible bravery by Captain Cosby, for which hazardous and important service, the Commander-in-Chief appointed him to the command of the garrison.

The battalion to which Lieutenant Burr was attached, formed a portion of the covering party at

breaking ground on the night of the twenty-ninth of September. On the following day this small force, under the command of Lieutenant Colonel Vaughan, was vigorously attacked by the enemy, whose cavalry, with undaunted courage, rode up to the muzzles of our artillery, and cut down many of our men, though opposed and harassed by a destructive fire of grape.

Captain Mackenzie having received a disabling wound, the command of his battalion devolved upon Lieutenant Hamilton, the next in seniority; and Lieutenant Colonel Vaughan requiring immediate succour, Lieutenant Burr was ordered up with part of the battalion, which

at that time was partially engaged with the enemy's infantry on the right, to his assistance, he being very hardly pressed by a large body of horse.

On the commencement of the attack, a strong detachment was ordered down from camp to their support, in consequence of which the enemy, after several hours of severe contest, was repulsed at all points with considerable loss. The British army also suffered greatly; for, independent of the sally, they were almost wholly exposed to a galling fire from the southern face of the fort, as they had not yet made sufficient progress in entrenching themselves, because such was the rocky

nature of the ground, that the working party found it an impracticable labour to cover themselves in the course of the night, nor had the troops any other shelter than what was obtained from a water-course, running in a parallel line with that face of the fort, which offered them only a very partial safe-guard, while to the wounded it afforded but a very inadequate protection.

The troops received their well-earned share of praise from the Commander-in-Chief, General Joseph Smith, for their distinguished conduct and irresistible bravery in this hard fought contest; Lieutenant Burr was particularly favoured

with the personal thanks of Lieutenant Colonel Vaughan, for the steadiness and gallantry displayed by that part of the Carnatic battalion which was under his command, and in justice to them, it may be here observed that they had certainly borne their full share in the laborious conflict of that day.

After several weeks of extreme fatigue, during which the rainy season had commenced, and the troops were much reduced by sickness, a practicable breach was effected, when the Rajah of Tanjore offered terms of peace, which, being accepted, the army shortly after divided, and marched to different stations.

In the month of May, 1772, an expedition was formed under the command of General Joseph Smith, for the reduction of the Ramanad-porum and Shevagunga Pollams, the former being called the Great Marrawa, and the latter, the Little Marrawa.

On the march to Ramanad, Lieutenant Burr became afflicted with a liver complaint, which was accompanied with such serious appearances, that Dr. Lucas recommended his quitting the field, as a step essential to the re-establishment of his health, but such an absence from his duty he did not for a moment hesitate to decline; he was however compelled, from the pre-

valency of the disease, to submit to a temporary resignation of his company of grenadiers, but by the indulgence of General Smith, through the interposition of his ever kind friend and affectionate relative, Captain Cosby, at that time aid-de-camp to the Commander-in-Chief, he was gratified in being permitted to volunteer with the storming party, though, on account of the precarious state of his health, the General wished him to check his ardent zeal for service on this particular occasion: accordingly, Lieutenant Burr, whose active spirit of enterprize could not be controlled, even by the humane and considerate wishes of the General himself,

joined the first division of European grenadiers, commanded by Captain Robert Godfrey; and was actually the fourth man who effected a footing on the breach of the fort; notwithstanding the powerful resistance made to the attack, the nature and spirit of which may well be conceived, when it is stated that every one of the enemy was killed, whose courage defended the entrance which the breach had effected.

After the reduction of the fortress of Ramanad, the troops remained encamped for some days about two miles from the garrison, till the country was settled by the ministers of the Nabob Mahomed Ally; the army then marched into

the Little Marrawa country, and encamped before the barrier, which was defended by five thousand Poligars, and led to the Rajah's stronghold of Callacoil.

A detachment had been formed from the army for secret service, and dispatched about six hours before the army itself had left its last encampment, Shevagunga. This distinct corps was commanded by Lieutenant Colonel Abraham Bonjour, an able and enterprizing officer, who made a daring, circuitous, and most fatiguing march, through a defile of jungle of many miles, which would scarcely admit of two men abreast, beneath a most scorching sun, unrefreshed by a drop of water,

and to whose overpowering heat many of our people became the victims. This bold attempt, however, was conducted with so much resolution and fortunate perseverance, that the detachment having gained, unobserved, the rear of the enemy, it surprised the fort of Callacoil, the gates of which were left unguarded, as the Rajah's troops, not aware of such a movement, were at the distance of three miles, defending the barrier, which was attacked by General Smith. Thus, Colonel Bonjour's detachment possessed itself of this important place, with an immense booty in jewels and specie. The army having made itself master

of this place, and subjugated the whole of these countries to the Nabob's authority, which was the object of the campaign, returned to Tritchinopoly, where it separated, and the different corps marched to their respective cantonments.

The grenadier corps being disbanded, Lieutenant Burr was, at the request of his friend, appointed to his battalion of Sepoys, fifth Carnatic, which was at this time in the field, but ordered to Amboor, and the command of the garrison given to Captain Cosby. Here Mr. Burr observes he lived with his generous patron, in the highest degree of happiness, while the various inesti-

mable proofs of his friendship impressed upon him the most affectionate sentiments.

In April, 1773, orders were issued by government to assemble an army on the plains of Tritchinopoly, under the command of General Smith, for the final reduction of the Tanjore country; upon this occasion Captain Cosby was called to Madras, and appointed Adjutant General, with the rank of Lieutenant Colonel; and the fifth Carnatic battalion, then under the command of Lieutenant Sale, the next senior officer, was ordered to march to Carongoly, to escort the battering train and stores from that dépôt for the siege of Tanjore; and the whole of those

immense stores were conducted in perfect safety, and joined the army in the month of June, which had taken up its position before the town; the strong fortress of Vellum, on the frontier of the enemy's territory, having been ceded to the British government by the last treaty, was now occupied as a magazine for provisions and stores, and as an hospital for the sick and wounded.

On the night of breaking ground, a select body of troops, the whole corps of grenadiers of the army to which Lieutenant Burr was attached, was ordered to storm the enemy's cavalry camp on the eastern face of the fort, in which our soldiers succeeded, at the same time taking,

as well as destroying, a great number of the Tanjorines and their horses, and dispersing the rest, though night attacks are in general attended with considerable disadvantages, unless the ground has been well reconnoitred, and the troops conducted by experienced guides.

This attack afforded an excellent opportunity for our workmen to proceed with dispatch on the opposite side of the fort, and greatly accelerated their approaches by the construction of trenches, parallels, and batteries; and in the course of the night such progress was made in this important service, as almost to exceed belief.

In the course of a few evenings, the corps to which Lieutenant Burr was attached, received orders to act as a covering party to the trenches, and on the succeeding day the enemy made a formidable sally with all his force upon our entrenchments. The British troops on this service were commanded by Colonel Thomas Fletcher, who in the early part of the day received a wound in the mouth from an arrow. During the attack, Lieutenant Burr was ordered out of the trenches with a party, to dislodge a considerable body of the enemy that greatly annoyed the left flank of the besieging forces. This, though after a severe loss, was completely effected, and Lieutenant

Burr received the Colonel's thanks for his conduct on this occasion. Notwithstanding the extreme fatigue of the day, the greater part of Lieutenant Burr's corps was eight and forty hours in the trenches before they were relieved. In the night, when the sap battery was erected, Lieutenant Burr had the command of the covering party, in which hazardous service he lost many of his men; and on the day of general assault, he commanded his company of grenadiers in the storming party.

Shortly after the reduction of the Tanjore country, Lieutenant Burr accompanied the army to Negapatam, a Dutch settlement, on

the coast of Coromandel, and contiguous to the country that had just been subdued, before which the troops encamped. The garrison being summoned, and having answered in the negative, after some days parley, during which time the Dutch appeared refractory, preparations were immediately made, and hostilities just upon the eve of commencing, when the Dutch governor thought proper to surrender the garrison and district to the British arms. This service being finally effected, the fifth Carnatic battalion, to which Lieutenant Burr belonged, was stationed at Madura, and Captain Macdougall being under the necessity of proceeding to Bombay,

for the re-establishment of his health; and Lieutenant Sale, the next senior officer, being on furlough for England, the command of the battalion devolved upon him, as the next subaltern in succession, in which he had the honour to continue until he was appointed to the adjutancy of the 4th Circar battalion, stationed at Aska, in the Ganjam district. This took place in October, 1774.

In January, 1778, a detachment was formed at Aska, to take possession of the Gumsoor country, on which service Adjutant Burr received a wound through both his legs by a musket ball.

In the December following, whilst in the command of the garrison of

Ganjam, he was directed by the Chief and Council of that subordinate settlement, at the request of the commanding officer of the district, to proceed to Aska, to undertake the escort of four hundred bullocks, laden with provisions and stores, for the relief of the garrison of Gumsoor, at that time surrounded by the peons of the Rajah Vickerum Bungee, and to take upon him the command of the troops in that Zemindary.

Adjutant Burr having reviewed his men, and made the necessary arrangements, left Aska with the escort, about eleven o'clock at night, and fortunately succeeded in conveying the whole of these supplies,

in perfect safety, though under the greatest disadvantages; for, from the dawn of the morning of the twenty-fifth of December, when he entered the Gumsoor country, he was attacked by upwards of three thousand of the enemy; the truth of this was obtained of the prisoners, and afterwards confirmed by the Rajah Letchmere Bungee himself; to oppose whom, his detachment consisted of no more than eighty-four Sepoys, and three European serjeants. He lost in this march twelve veterans in killed and wounded, and it is more than probable that his small force would have suffered a still greater diminution, had he not received a reinforcement, which

arrived when within two miles of the garrison; and when his men, as may be supposed, were extremely exhausted, having been upwards of sixteen hours under arms, without taking any refreshment, it being half past four in the afternoon when they arrived at the termination of this toilsome and distressing journey; for the enemy continued to harass them till they had reached within half a mile of their destination. Indeed such was the nature of the country through which they had to pass, with respect to jungles and water courses, that it was not practicable to have taken post, had the service proved to be such as to require it.

The following evening, Adjutant Burr, with a detachment of two hundred chosen men, a provision of three barrels of musket ammunition, and accompanied with ten Doolies, and an intelligent guide, made a night attack upon the enemy, who was encamped about five miles from the garrison; took one hundred and thirty-seven prisoners, destroyed many, and dispersed the rest. This service was honoured with the thanks of the commanding officer, and with the full approbation of the Chief and Council in the Ganjam district.

The insufficiency of troops at this period, rendered it difficult to keep open the communication be-

tween Aska and Gumsoor, and was attended with great interruption and distress until the return of the other battalion, which had been sent from the Ganjam district to the Vizagapatam Circar upon special service, when the Gumsoor country was subdued, and put under the management of the Rajah's brother, Letchmere Bungee.

On the eighteenth of July, 1779, Adjutant Burr was promoted to the rank of Captain, and in March 1780, was appointed to the command of the Sibbendies in the Ganjam district. On the fourth of April, 1782, he was removed from thence, and in the following month joined the army under General Sir Eyre Coote.

Vellore being in want of provisions, the army marched to its relief, and having deposited an ample store of rice, &c. in that garrison, it returned to Madras, and shortly after proceeded to the Red Hills, near Pondicherry. General Sir Eyre Coote had previously concerted with Admiral Hughes the means of attempting the recapture of Cuddalore, but from a failure in the store of provisions for the maintenance of the troops, and the impracticability of the squadron continuing on the coast at that advanced season of the year, the army was under the necessity of returning to Madras, and the approaching monsoon excluding all hopes of success in its

operations, it marched into cantonments, when Captain Burr was appointed to the first company of the first regiment of European grenadiers.

At this period, General Sir Eyre Coote embarked for Bengal, as well for the change of air, in the dubious state of his health, as to concert measures with the supreme government respecting the future proceedings of the army, but he died soon after his return to Madras, and the command of the forces in the Carnatic consequently devolved on General James Stuart.

On the fifteenth of January, 1783, the troops having quitted their cantonments, a march was undertaken

for the purpose of advancing provisions to the first dépôt, and when that essential service was accomplished, operations were renewed against Cuddalore. In May the troops moved forward for the siege of that place; and on the thirteenth of June, Captain Burr was engaged with the gallant Colonel Cathcart, who commanded the whole grenadier corps of the army, in storming the French outworks, on which service one half of his company was killed or wounded, which may be seen by a reference to the returns in the Adjutant-General's office of Fort George. The total loss of that day amounted to one thousand and thirty men. During the night of

the twenty-fifth of the same month, he was on duty with his grenadiers, when the enemy made the memorable sortie with their whole force on our trenches, on which occasion we made nearly one hundred and fifty prisoners.

Among the wounded in this conflict, was a young French serjeant, whose interesting appearance, and engaging manners, so particularly attracted the attention of Colonel Wangenheim, Commandant of the Hanoverian troops in the British service, that he ordered the young soldier to be brought to his own tent, where he was treated with every necessary attention till he had recovered from his wounds and ob-

tained his release. This circumstance is not mentioned as a mere act of spontaneous humanity to a conquered enemy, but from the extraordinary fortune of the prisoner, who was afterwards the celebrated Marshal Bernadotte, and who now so distinguishingly sways the sceptre of Sweden.

On Captain Burr's return to Madras, Lord Macartney, then Governor, was pleased, in council, to appoint him, on the tenth of September 1783, to the command of Ganjam. From this station he was removed in April, 1787, to the European regiment, doing duty at Vellore. It is here very feelingly remarked by Captain Burr, that

from the period of his duty in the Ganjam district, he passed some of the happiest years of his life; as he was then so fortunate as to become connected with characters of genuine worth, with whom he occasionally shared his more serious, as well as his gayer hours. How often has Captain Burr regretted the loss of those papers which, in the hours of relaxation from duty, he had selected with great care and accuracy, as interesting memorials relative to others as well as to himself. On the ninth of September, 1789, he received the commission of Major in the King's and Company's service; and, for a short period, he commanded the garrison and troops at Vellore.

On the sixteenth of July, 1791, Major Burr was appointed to the command of the troops in the Guntoor Circar, which respectable station he retained to the twentieth of February, 1794. On the first of March following, he was honoured with His Majesty's commission, advancing him to the rank of Lieutenant-Colonel; and on the twenty-fourth of January, 1797, he was appointed to the command of Condeypillah.

By a commission, dated the thirteenth of July, 1797, Lieutenant-Colonel Burr was promoted to the rank of full Colonel; and being soon after appointed to the command of

the 10th regiment of native infantry, he resigned that of Condeypillah, in the month of November in the same year.

On the twentieth of January, 1798, Colonel Burr embarked for England, in the Lord Macartney Indiaman, Captain James Hay; touched at the Cape and St. Helena; landed at Weymouth on the thirtieth of the following July, arrived in town on the first day of August, and enjoyed the inexpressible happiness of again seeing his beloved family after a separation of thirty years and seven months, the whole of which prolonged period may be said, without the shadow of osten-

tation, to have been passed by him in a succession of active, arduous, and successful service.

But this delightful visit to his native country was of short duration, for, on the second of April, in the following year, he left England in the Boddam, Captain Palmer, and arrived in Madras Roads on the fourth of August, after an absence from India of no more than seventeen months and ten days, the greatest part of which he passed on the ocean.

On the thirteenth of April, 1800, he was appointed to the command of the troops in the Molucca Islands; sailed on that service on the twelfth of the following August,

and arrived with the relief at Amboyna on the 21st of November.

On the 15th of December, 1800, Colonel Burr, in concert with the Resident, Robert Townshend Farquhar, Esq. projected the enterprize of subjugating Ternate, the principal of the Molucca Islands, to the British dominion. It would be failing in a requisite act of justice if it were omitted here to represent this gentleman as possessing all the qualities which characterize the friend; every grace that gives a charm to social and domestic life; with a superiority of talent, understanding, and attainments, which rendered him equal to the duties of any public situation, whatever it

might be, which he might be called to fill.

But abilities, and even wisdom itself, cannot always command success; this was proved, in a great measure, by a failure in the first attempt on the Island of Ternate. When, however, such a mind as his, suggested to him to persevere in attaining an object, there could be little doubt that his penetrating genius and sound judgment inspired a commanding impulse to proceed.

Accordingly a second expedition was undertaken against this island, and crowned with success. Though Mr. Farquhar had not at this time reached his twenty-eighth year, Colonel Burr saw at once the value

and extent of his superior qualifications, which fully justified the entire confidence he placed in his assistance for arranging the important expedition, wherein it was their mutual duty, as it was their firm and decided disposition, to co-operate. Of the early and accidental failure, as well as of the final success of this expedition, some brief notice may here be offered.

As Resident of Amboyna, a very high responsibility was attached to Mr. Farquhar in discharging the various functions of that important station; to its arduous duties he was beyond all challenge fully competent; and in the official performance of them were combined honour

to himself, and advantage to his country.

The expedition being planned against Ternate, and Colonel Burr being appointed, as already mentioned, to the command of the troops in the Molucca Islands, the military conduct of it was consequently intrusted to him; and every arrangement being completed, he sailed on the twenty-second of January for Amboyna.

On the tenth of the following month, the British armament arrived in sight of Ternate, and as soon as the fort and batteries were in view, a boat, with a flag of truce, was dispatched from the Virginie frigate, with a summons to the Governor

from the commanders of the military and naval forces, allowing him no more than two hours for deliberation. The propositions being refused, the troops landed on the north side of the island, and attacked the enemy's battery of Telooke, but were repulsed with loss; and the enterprize having failed for want of a due co-operation of the two services; the assignable reasons for which, future success renders it unnecessary to mention, and professional delicacy would wish to bury in silence. On the nineteenth the army returned to Amboyna.

This failure, however, did not discourage Mr. Farquhar and Colonel Burr from engaging in a second ex-

pedition, which was forwarded with the greatest possible assiduity and dispatch. It accordingly sailed on the second of April from Amboyna, and on the twenty-third reached Tidore. Here Colonel Burr had an interview with the Sultan and his chieftains, who engaged to assist him with a considerable force, which joined him in a few days, when the armament quitted Tidore; and on the thirtieth the whole fleet anchored in a bay opposite the town, and in view of Fort Orange. On the third of May, Colonel Burr landed to reconnoitre. A detachment of troops, under the command of Captain Walker, disembarked on the fourth, and on the eighth Colonel Burr

landed with his staff, and the rest of the troops. On the following morning Kiameera was given up; and on the twenty-first of June, the Island of Ternate, with its dependencies, surrendered to the British arms, after a succession of difficulties which it is not necessary to detail; and in surmounting which, Colonel Burr was bravely and uniformly supported by the officers and small body of troops under his command. This is the proper place to notice an officer belonging to the Madras army, to whom Colonel Burr was warmly attached—and that was Captain, now Colonel, Thomas Boles, who, at his particular request, was appointed by

the Commander in Chief, and confirmed by the Government of Fort Saint George, to be his Brigade Major and Secretary during the period of the Colonel's command in the Molucca Islands. Indeed, it would be difficult to find terms sufficiently expressive of the high esteem which the Colonel entertained for him, whether as a soldier or a gentleman, or as contributing so greatly to the endearments of social life in the circle of friendship; and it is known that the Colonel had acknowledged himself to have been much indebted to the judicious conduct of this accomplished officer.

On the sixth of July, Colonel

Burr embarked on his return to Amboyna, where he arrived in due course; and on the seventeenth of January, 1802, he resigned the command to Colonel Oliver. On the eighteenth of April, he embarked for India, in command of the relieved troops from Amboyna; and on the eleventh of June, arrived at Madras, where he landed under a salute from the battery.

On the twentieth of December, 1802, he wrote for leave to return to Europe, but was informed by the Adjutant-General, Lieutenant-Colonel P. Agnew, that if his health permitted him to take the field, he, Lieutenant-Colonel P. Agnew, was authorized to say, it was the inten-

tion of the Commander in Chief, if the army should move, to employ him in a station such as his rank and services entitled him to expect. Such, however, was the state of his health, that he was under the necessity of declining the honour which his Excellency, the Commander in Chief, had so handsomely meditated in his favour; though in his application to Government, he avoided mentioning that the state of his health was the principal motive for his desire to go to England.

Colonel Burr accordingly embarked on board the Dover Castle Indiaman, Captain Sampson, on the twenty-eighth of February, 1803; sailed from Madras Roads the se-

cond of March; arrived at St. Helena the fifteenth of May; left that island on the twenty-second; obtained sight of old England the twenty-seventh of July; and landed at Seaford on the thirtieth of the following month.

Colonel Burr having now completed his military career in India, it would not be doing justice to his protracted train of active, unremitting, and successful services, if the opinion entertained of them were omitted to be mentioned; the following is a Minute in Council.

"We have to inform you, that in proposing the appointment of Mr. Farquhar to this trust, Commissioner on the part of the British

Government, for delivering up to the Batavian Republic, the eastern possessions, taken during the war, &c. &c. &c. the claim of Colonel Burr to the notice of our Government did not escape the observation of our President. Referring you to his Lordship's Minute for our unanimous opinion of the merit of that officer, we beg leave to recommend his services to the due consideration of your honourable Court."

In September, 1803, a short time after his return to England, Colonel Burr was honoured with an invitation by the Chairs of the Honourable Court of Directors, to dinner, at the Crown and Anchor Tavern, in the Strand; and

in the following year, they were pleased to present him with the sum of eight hundred pounds, as an additional remuneration for his table expenses while he was prosecuting the siege of Ternate.

It may be here proper to mention, though not without serious regret, the loss which Colonel Burr sustained of a great variety of memoranda respecting his services in India; which were calculated to have given an historical account of the different engagements, sieges, and expeditions, in which, during such a long course of years he was actually employed.* But these in-

* The loss of these manuscripts, embracing, as has been already observed, a period of many

teresting documents have, by the chance of war, been placed beyond

years of his military life, is surely the more to be regretted, when it is considered, that they had been submitted to the revision and arrangement of his most excellent and ever to be lamented friend, Mr. George Binny, whose affectionate, never-failing, and most honourable regard, it is his pride to acknowledge. Among other numerous instances of his kindness, he employed no small portion of his invaluable time in improving and elucidating his faithful narrative of these transactions, in which his successive situations in the army of India called him to take a part. Through such prolonged, various, and active services, he recorded the truth with honest simplicity, and his friend gave it the additional interest, which could not fail to proceed from his superior mind, and incomparable judgment. Here, indeed, Lieutenant General Burr could wish to enlarge on the many and rare virtues of Mr. Binny's highly distinguished character, but it is already done in the Epitaph inscribed on his monument, which will be found among the supplementary papers of this little volume.

his reach. They were shipped with his baggage at Ganjam, in order to meet him at Madras, but the vessel was captured by a French privateer in January, 1802, and the whole of his property on board lost for ever. All the papers, however, relative to the subsequent expedition against the Island of Ternate have been carefully preserved, and may give some idea of the accuracy and fidelity which would have distinguished the narrative of his former services, had not the chance of war snatched them from him; nor will it be saying too much to presume that the papers lost would have contained the most authentic materials for a very interesting and, consider-

ing the periods and events which they embraced, a very useful episode of the history of British India.

Colonel Burr received his commission of Major-General on the first of January, 1805, and was advanced to the rank of Lieutenant-General on the twenty-second of April, 1815. He was married on the twenty-sixth of April, 1804, to Lucy, second daughter of Thomas Parry, Esquire, of Banstead in the county of Surrey, and one of the Directors of the Honourable the East India Company, which lady died at Flushing, in Cornwall, on the seventeenth of November, 1805, in her thirty-second year; leaving issue one daughter, Lucy Mary

Anne. The General afterwards married at Bristol, September the twenty-ninth, 1808, Mary, youngest daughter and coheiress of the late James Davis, Esquire, of Chepstow, in the county of Monmouth, by whom he has had two sons and three daughters. This lady, by the maternal line, in consequence of the death of the Duke of Norfolk, became joint heiress with her own sister, Ann Susannah Davis, to the estates of the Duchess, with Sir Edwin Francis Stanhope, Bart. and her cousin, John Parsons, Esq.*

On Thursday, the eighteenth of January, 1810, General Burr had the honour of being presented to Her

* See Supplement, p. 93.

Majesty, on his marriage, by Lord Rolle, who was intimately acquainted with his amiable and highly respected friend, Miss Knight, daughter of Sir Joseph and Lady Knight, with the latter of whom the General's mother had been in close connection from early life. At the same drawing room, Mrs. Burr was also presented by Lady Rolle; and on the Wednesday following, being the twenty-fourth of the same month, the General was presented, by Lord Rolle, to His Majesty, on his return from India.

This Memoir of General Burr's public and professional life, has been given from his own memoranda, assisted by the communications

of a gentleman who was a principal actor in the same service. It may, however, be mentioned with a scrupulous adherence to truth, that this faithful narrative has not been suggested by any incitement of personal vanity, or ostentatious feeling, but at the desire of friends who have known him long and loved him sincerely, as well as at the earnest request of his family, who may be naturally anxious to be informed of every circumstance of a life so dear to them; and of which it is hoped the more they know the more they will find it display those examples of virtuous and honourable conduct, which it must be their wish, as it will prove their happiness, to imitate.

It may here be observed, with justice, that General Burr made his way along the path of duty by successive gradations in the performance of it, no superior interest, no interposition of power were employed in his advancement. Promotion waited upon service, and it may be seen that he had always won his reward before he received it. This Memoir will prove that from the time he landed as a Cadet on the shores of India, to the hour that he bade them a final adieu, being a course of thirty-five years, his life was a long, various, and almost unremitting scene of active and toilsome duty, accompanied by a progressive acquisition of advancement,

obtained by his own efforts, and that due sense which the commanders under whom he served, entertained of them. And it may be also confidently asserted that during the long period of his service, he was never absent a single day from the calls of it, except once on furlough, and in cases of extreme illness; nay, that he has resisted medical advice, as well as the recommendation of his friends and superior officers, by continuing on duty. It may likewise be added that he never failed, most conscientiously, to adhere to that subordination which he considered as the essence and commanding principle of military discipline.

This little volume offers a por-

trait, not of his person, but of his life, not of his features, but of his actions, not of his form, but of his mind. It is not given to the world, but to those alone, who are, as it were, a part of himself, and to whom his parental duty and affection calls upon him to disclose every thought that may be useful to them, and will be conveyed with an interest and an authority which it is hoped will accompany whatever instruction, whether by words or example, emanate from him. Nor can any vanity be justly imputed to him in exercising the duty and privilege of a parent, while he points out the path in which he wishes that his children should tread, when

he calls their attention to any part of his own conduct, which he conscientiously believes may be beneficial to them to look up to and imitate, when the voice of instruction can be heard no more, and filial remembrance influenced by filial veneration must supply its place; what an affecting impression will surely accompany his declaration in the minds of those to whom it is particularly addressed, when he most solemnly avers, according to his best recollection, that he never omitted to offer up his morning and evening praises to God, as the giver of all good things, for the many blessings bestowed upon him, as well as to implore his divine protection, and

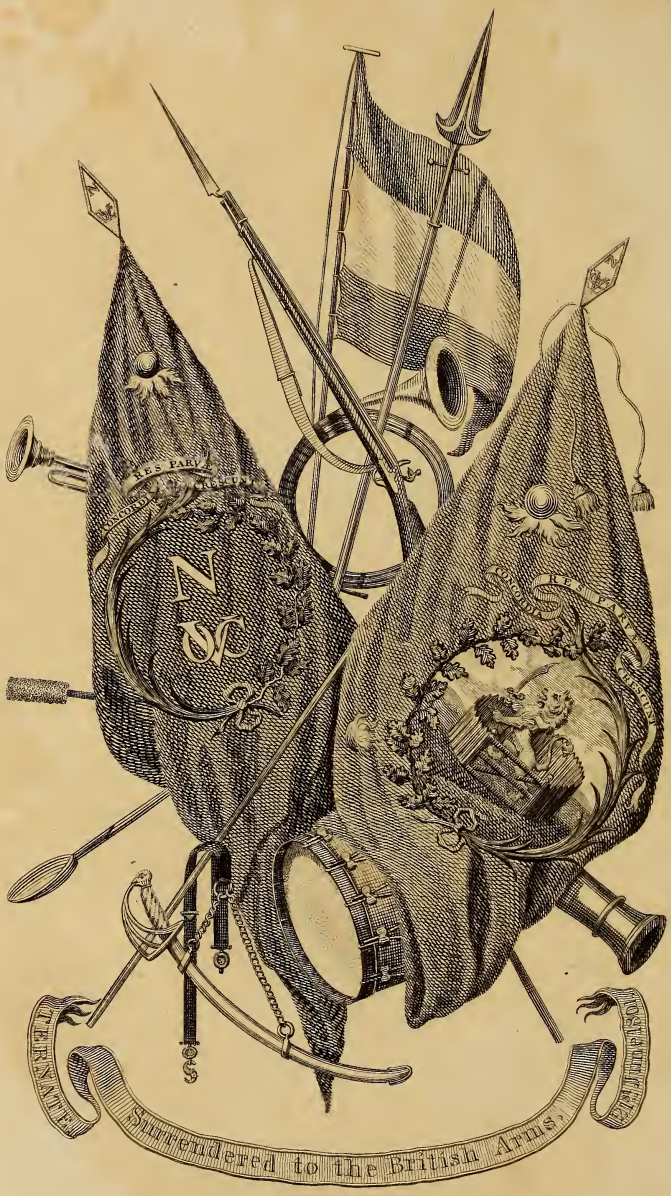
assistance in all his humble but sincere endeavours to walk in the way most agreeable to his good will and pleasure; and when he further adds that he never laid himself down to rest, amidst the hard and revolting trials which he has suffered from ingratitude and unkindness in the course of his life, without addressing the Father of mercies to forgive, as he sincerely forgave those who had designed, or done him any evil, and to turn their hearts, beseeching, at all times, the Giver of all good to continue to him what he considered the greatest of all sublunary possessions, a truly compassionate and feeling heart, which necessarily produces a genuine and unalterable love of human kind.

General Burr was never disposed by his natural character and turn of mind, to what is called the society of the world, but in every part of his long and active career, he was always looking with an anxious but pleasing hope, to a state of seclusion and retirement in the country, as the favourite object and final reward of all his labours. But it has pleased God in his providential dispensation to order it otherwise, and to that inscrutable Being who knows best what to give and what to withhold, he with the utmost chearfulness and humility resigns himself. Nevertheless, it becomes him most gratefully to acknowledge the happiness he has experienced in his own domestic circle,

as well as in the society of select and sensible friends, all of which he still continues to enjoy.

To the above hasty and faint sketch of the military career of General Burr, we think it right to annex the following Letters, Extracts, &c. which will form a proper Supplement to the narrative of his life. It was not thought advisable to attach more than two or three copies of documents relative to the expedition against Ternate, to this Memoir, but to have them printed in a separate work, properly corrected.

SUPPLEMENT.


TERNATE
Surrendered to the British Arms,
OCTOBER

SUPPLEMENT.

Correspondence relative to the Island of Ternate. *See* MEMOIR, *p.* 48-56.

Amboyna, November 6, 1801.

MY DEAR FARQUHAR,

I shall be extremely happy to hear that you are arrived at Ternate, where I know your presence is so much required, and at which place there are multifarious political arrangements to occupy your time and thoughts upon, but however difficult and delicate your situation is, I likewise know your talents are equal to the greatest affairs, and that you will readily penetrate into all the objects which the contending parties will study to accomplish; but as I do not conceive any apprehensions can be entertained for the tranquillity of the island

being disturbed by any of them, I hope you will be able to place the Honourable Company's interest in the highest point of advantage; and although some discontents and bickerings may naturally be expected in adjusting the claims of the various parties concerned, who are each jealous of the other, and between whom the most rooted enmity exists; yet I shall flatter myself, your firmness and conciliatory deportment will reconcile them all to the measures you adopt for their general good and happiness, and at the same time give the utmost degree of stability to the Honourable Company's possessions in this part of the world.

The policy of the Dutch has always dictated the expediency of fomenting quarrels between the Tidorian and Ternatian Princes, and they have in consequence been in a perpetual state of alarm, or warfare, but I trust on your pointing out the evil consequences arising from such a state to the welfare and peace of their respective subjects, they will naturally embrace a wiser and more peaceable line of conduct.

You have, my friend, a very nice card to play, and should remember that all eyes are directed towards you; and be assured our ene-

mies will take every advantage of us, and be apt to say, "if the tree should not bring forth good fruit," where are the solid advantages that have arisen to the Company, or what will compensate for our justification in presumptuously undertaking the expedition. I therefore exhort you to exert all your great abilities to prove to the world, that our conquest is an acquisition of real and great importance to the state. You know how severely I have been handled for my "ambitious exploits," but even though I may have failed in doing as much as I wished, yet I have done my best for my country, and from the consciousness of which my mind is perfectly tranquil. You may expect a rub, but I shall hope, nevertheless, you will be applauded, when the result is known and felt.

I have now only to assure you, with the purest sincerity, that my best wishes shall ever attend your pursuits, and that I impatiently look for your return. May health and perfect felicity be your constant companions through life. Always

your sincere Friend,

(Signed) DANIEL BURR.

Robert Townshend Farquhar, Esq.
&c. &c. &c.

Victorious, Trincomalee, June 27, 1802.

Dear Sir,

I consider myself indebted to your kind attention for recalling the Albatross to you, for the sake of the opportunity of forwarding your letters from our friends at Amboyna. Am much obliged to you likewise for the information respecting the state of affairs at the Molucca Islands settlements when you left them, and am concerned to observe you complain of bad health, which I trust the tranquillity of living ashore, with other attendant comforts, will speedily reinstate.

I congratulate you very sincerely on your late success at Ternate, so amply merited on your part, and remain with every respect,

Dear Sir,

Your very faithful, humble servant,

(Signed) Peter Rainier,

To Colonel Daniel Burr,
late commanding at the Molucca Islands.

St. Thomé, November 1, 1802.

Dear Sir,

I return you herewith my best thanks for the perusal you have indulged me with, of the copies of Mr. Farquhar's Diary, and the Malay treaties, which I read with great attention, and no less admiration of my young friend's activity and abilities in the management of such various and extensive public concerns, at so early a period of his life and services. Yet cannot help expressing to you my regret, as things have happened, and might have been expected, that those treaties were not made provisionary with respect to the Dutch being reinstated in those possessions, as the introduction of that provisional circumstance might have contributed to have abated the keeness of the resentment that revengeful and cruel people may be provoked to execute on the parties concerned, when in their power, for their conduct in these negotiations, in what concerns themselves. I remain,

Dear Sir,

Your very faithful, humble servant,

(Signed) Peter Rainier.

To Colonel Daniel Burr,
&c. &c. &c.

Madras,
Tuesday Evening, November 2, 1802.

Dear Sir,

Your favour of yesterday's date, together with the papers, were duly received by me, and I now have the pleasure of sending, for your perusal, what, *for many reasons*, I think cannot fail to interest, the translation of a public dispatch from the government of Batavia, to the Governor of Ternate, which was intercepted by us during the siege of the island. The private letters taken at the same time, I sent in to the Governor by a flag of truce.

With regard to the treaties not being made provisional by Mr. Farquhar, under the impression of what doubtless could not but have been expected, that of the Dutch being again reinstated in their former possessions, I confess I do not see in the serious light in which it appears to you. It certainly is to be lamented that any individual should suffer for his attachment to our country or cause, but the people in question must be considered as included equally with those of the islands which previously fell to us in the general treaty of peace, a particular article of which, your

Excellency may remember, is very explicit, indeed, on that head; taken, however, in a more general point of view, *between you and me*, does it not appear in itself to be a grand political stroke of our young friend, who has by this shook, *to the very foundation*, the authority of the Dutch in those islands for ever. In my opinion, he has thus established throughout the Moluccas, the superior influence of the British character, derived from the acknowledged justice and liberality of our nation. I have perused, with much gratification, your commendations of my young friend Farquhar. Indeed these extensive and important treaties, in which he was concerned, required uncommon abilities, zeal, and activity, and such as he possesses in a very eminent degree.

I beg leave to assure you, I have the honour to be with the most perfect respect and esteem,

Dear Sir,

Your obliged and faithful servant,

(Signed) DANIEL BURR.

To His Excellency,
Vice Admiral Peter Rainier,
&c. &c. &c.

Madras, November 5, 1802.

Dear Sir,

I have the honour to submit, with great respect, to your Excellency's perusal, the accompanying book, containing the first and second expedition against Ternate, with a request that your Excellency will not detain it longer than is necessary. And should any part of the correspondence relative to Ternate affairs give you an idea that I have thrown out a reflection on your service, I hasten to do away any impression of the kind in your mind. My correspondence on the operations of the Navy and Army, could only relate to the particular divisions of them employed on that service, for, indeed, I should be more sorry than I can express, that any misconception of my specific meaning should be construed into a general censure on that service, which all the nations of Europe acknowledge, and have experienced to their cost, to be the most glorious in the known world. I must, after this assurance, request that your Excellency will not cherish any opinion contrary to my true meaning and intent, when I wrote the letters now respectfully submitted for your Excellency's perusal, and at the same

time, that you will please to consider the correspondence I now submit to your perusal as an act of friendship, accompanied by a request on my part of secrecy on your's.

I have the honour to be, with unfeigned esteem,

Dear Sir,

Your very obedient, humble servant,

(Signed) DANIEL BURR.

To His Excellency,
Vice Admiral Peter Rainier,
&c. &c. &c.

St. Thomé,
Saturday Morning, Nov. 6, 1802.

DEAR SIR,

I am this moment favoured with your letter of yesterday, with the roll of paper accompanying it. Your observation on my remark respecting the provisionary article which appeared to me to be necessary in the treaties with the Malay Princes, to conciliate the future regard of the Dutch, are very judicious, but I entertain a very different opinion of the Dutch clemency, therefore could have wished they had

been drawn up with that restriction, though it might possibly have operated but little in their favour, yet it would be interpreted to their advantage, if ever those treaties should, hereafter, become a subject of European discussion. It will, I really believe, be a work of time and difficulty to obliterate the favourable impressions the kind conduct and treatment of Mr. Farquhar, and all our countrymen in general, have wrought in the minds of those Malay Princes, but the effects of the Dutch vengeance, armed with the usual instruments of torture and sanguinary execution, are wonderful in introducing change of opinion in men's minds, when formed even of the best materials.

I shall look over the contents of your roll, and return them to you. I have no doubt of their being very interesting.

I remain, most respectfully,

Dear Sir,

Your very faithful, humble servant,

(Signed) PETER RAINIER.

To Colonel Daniel Burr,
&c. &c. &c.

Vice Admiral Rainier returns Colonel Burr the papers he received from him, and thinks his animadversions on ——— conduct, very proper. Vice Admiral Rainier confides in Colonel Burr's goodness to excuse his not having paid Colonel Burr a congé visit, on his departure for Bombay, being much pressed for time, and having none to lose, on account of the condition of the ship, and advanced state of the season.

St. Thomé, January 2, 1803.

Correspondence alluded to in MEMOIR, *p.* 56.

Fort St. George, Madras,
December 2, 1802.

MY DEAR COLONEL,

You know that preparations are going on towards forming an army for the field, but it is yet uncertain if the troops will or will not be actively employed. In this state of affairs,

it may be worthy of your consideration, whether or not you should press your application for leave. If your health permits you to take the field, I am authorized to say, that should the army move, it is the intention of the Commander-in-Chief to employ you in a station, such as your rank entitled you to expect. To enable me to know your wishes, your letter has been detained till Friday's Council.

Yours, my dear Colonel,

Very truly,

(Signed) P. A. AGNEW.

To Colonel Daniel Burr,
&c. &c. &c.

(Private.)

Madras, December 22, 1802.

MY DEAR AGNEW,

I have been favoured with your confidential note, which is highly satisfactory and very pleasing, and for which I am much indebted to both his Excellency the Commander-in-Chief and yourself, and in confidence I tell you that my health is in that wretched state,

from a complaint I have long laboured under, and which is daily gaining ground on me, that it drives me home as the only source from which I am likely to find a remedy; I have not asked for a sick certificate, but this, on my honour, is the real fact, and thus circumstanced, you will see how indispensibly necessary it is for me to deny myself the honour which his Excellency has so handsomely designed for me, and for which I am most truly grateful.

I remain,

My dear Agnew,

Most sincerely yours,

(Signed) DANIEL BURR.

Madras, December 24, 1802.

MY DEAR AGNEW,

Lest, notwithstanding my asseveration on my honour to you, relative to the real wretched state of my health, his Excellency the Commander-in-Chief may not be satisfied, I will, if necessary, withdraw my application in its present form, and return it to you, accompanied by a surgeon's certificate, agreeably to prescribed form.

Be fully persuaded that nothing but the most pressing necessity could possibly have induced me to wave on this occasion the handsome offer made to me by General Stuart. Such, however, is the real state of my case, that I could not attempt to ride upon horseback, and my duty could not be discharged in a Palankeen; it is necessary, therefore, only that I should add, that were it possible for me to get on, I would attempt any thing, but as such attempt would, without doubt, in the opinion of medical men, place my complaint beyond the reach of cure, however repugnant to my feelings, I must go home, as the only hope I have left of re-establishing my health.

Yours, my dear Colonel,
very truly,
(Signed) DANIEL BURR.

Fort St. George,
Friday, December 24, 1802.

MY DEAR COLONEL,

There can be no possible necessity for your obtaining the certificate you mention. The General regrets the cause which, in event of

field operations, will deprive him of your services, but is perfectly aware that absolute necessity alone would induce you to return to Europe, while your presence in this country would be useful to the public.

I am extremely sorry that this has been the case, and hope you may derive every advantage from the climate and medical skill of Europe.

I am,

My dear Colonel,

truly yours,

(Signed) P. A. AGNEW.

To Colonel Burr.

The following *Extract* respecting the Heirs to the Estates of the late Duchess of Norfolk, will form no inappropriate introduction to the Documents which ensue on that subject.

Extract of a Letter from Lieutenant James Davis, 33*d Regt. to his Brother, the Revd. Francis Davis,* Chepstow, Monmouthshire, June,* 1797.

On my return from Bristol to Chatham, I accidentally dined in town in company with Mr. Dalloway, of the Herald's Office, who is principal Secretary to the Duke of Norfolk (the President). I had the curiosity to enquire if he was at all acquainted with the inheritance of the estates belonging to the present Duchess. He in a very satisfactory manner proved to me the propriety of Parsons', and your claims to the Holm-Lacey, and Lanthony estates (of about

* The brothers of Miss Ann Susannah Davis, and of Mrs. General Burr. See the Inscriptions, p. 176.

the annual value of £8000), as to a fourth part. These estates belonged to four sisters Coparceners, from whom they have regularly descended to the Duchess. No act whatever has been done to affect the descent, and the Duchess is, and ever will be, incapable of disposing of them. Parsons has, in consequence of the noise he has made at public places, of being heir to the Duke of Norfolk, caused the Duke, (who is not a little irritated at his exaggerated representations) to trace his (Parsons's) claim. The result is that the Duke admits, and is well persuaded of your being entitled, in conjunction with the descendants of the four Coparceners, to the estates in question. The difference is, (and to be sure it is a great one,) that instead of Parsons and yourself possessing the whole of the property after the decease of the Duchess, you will put in your claim to a fourth part, as being the representatives of one of the Coparceners. In a business of this grand nature, where there are many descendants, and of course many claimants, you will require the aid of the Court of Chancery, where if you come forward properly you will not experience much delay. Mr. Dalloway offered to shew me all his papers relative to your descent, but

I could not wait on him by reason of my being so particularly engaged. I hope you will not think that Mr. Dalloway has made these circumstances known to me with any mercenary views, or that I am endeavouring to fill you with delusive hopes. I can have no other interest than for your welfare, and if you will take my humble advice, you will cause this business to be fully investigated immediately. I shall not wish you success; you are already certain of it. The grand object is the speedy possession. If you confer with Mr. Dalloway upon this subject, you may make use of my name, and of my having communicated to you the conversation that passed between us. I have explained myself to you in the best way I can, and I hope I have sufficient influence with you, to induce you to consider this matter in a serious light. A thousand a year would be a pretty addition to your income. But I will say no more to you on the subject.

DOCUMENTS

RELATIVE TO THE

SUCCESSION TO THE ESTATES

OF THE LATE

DOWAGER DUCHESS OF NORFOLK.

See MEMOIR, p. 64.

13*th May*, 1817.

In the Matter of the Most Noble FRANCES FITZROY HOWARD, DOWAGER DUCHESS OF NORFOLK, *a Lunatic.*

To the Right Hon. JOHN LORD ELDON, *&c. &c.*

In pursuance of an Order made in this matter on the 22nd day of June, 1816, whereby I am at liberty to make a separate Report of any of the matters thereby referred to me, as I should see occasion, I have been attended

by Mr. Arthur Clarke, as the Solicitor for Robert Jackson, Ann Jackson, Spinster, Carey Maria Jackson, Spinster, and Mary Phillips, (on whose petition the said Order was made,) and by Messieurs Collett, Winburn and Collett, as Solicitors for Sir Edwin Francis Stanhope, Baronet, and by Mr. Turner, as Solicitor for John Parsons, Esquire, Lieutenant General Daniel Burr, and Mary his Wife, (late Mary Davis,) and Ann Susannah Davis, Spinster, and by Mr. England, as Solicitor for John Jones, Gentleman, and by Messieurs Darke, Church and Darke, as Solicitors for John Scudamore Lechmere, Esquire, and by Messieurs Bateman and Jones, as Solicitors for Wrothesby Digby, Esquire, the Reverend Noel Digby, William Mills, Esquire, and Elizabeth his Wife, (late Elizabeth Digby,) Charles Mills, Esquire, and Jane his Wife, (late Jane Digby,) Anne Dolben, Spinster, and Jane Mackworth, Spinster, and by Messieurs Goodeve and Ranken, as Solicitors for Henry John Kearney, Esquire, Arabella Cartwright, Widow, (late Arabella Kearney,) Frances Baldwin, Widow, (late Frances Kearney,) Henrietta Catherine Fairfax, Widow, (late Henrietta Catherine Kearney,) and the Reverend Edmund Cartwright,

and Susannah his Wife, (late Susannah Kearney,) and in their presence I have proceeded to enquire who is or are the heir or heirs at law, and next of kin of the said Lunatic; and I have considered the Claims of the said several persons, and the Evidence produced before me in support of the same, and upon consideration of the matter, I am of opinion, that the said Sir Edwin Francis Stanhope, and the said John Parsons, Mary the Wife of the said Daniel Burr, and Ann Susannah Davis, are the *Coheirs at Law* of the said Lunatic. The said Sir Edwin Francis Stanhope, being the eldest Son of Sir Henry Edwin Stanhope, Baronet, who was the only Son of Lady Katherine Bridges, by Edwin Francis Stanhope, Esquire, her second Husband, which Lady Katherine Bridges was the eldest daughter of the Honourable John Bridges, commonly called Marquis of Carnarvon, (and Lady Jane, her youngest Sister, having died without issue,) who was the eldest Son of James, the ninth Lord and first Duke of Chandos, and which James Duke of Chandos was the eldest Son of James, the eighth Lord Chandos, who was the only Son of Sir John Bridges, Baronet, who was the eldest Son of Sir Giles Bridges, Baro-

net, and Dame Mary his Wife, which Dame Mary was one of the Sisters of John, the first Lord Viscount Scudamore, who was the Great Grand-father of James the last Lord Viscount Scudamore, and which James Lord Viscount Scudamore was the Grand-father exparte maternâ of the said Lunatic, whose Father Charles Fitzroy Scudamore was illegitimate. And the said John Parsons, Mary the Wife of the said Daniel Burr, and Ann Susannah Davis being the Great-Grand Children and *Coheirs* of James Higford, who was the only surviving Son and Heir of William Higford, who was the eldest surviving Son and Heir of John Higford, and which John Higford was the eldest Son of John Higford of Dixton, and Frances his Wife, who was another Sister of the said John the first Lord Viscount Scudamore, and I find that the said Wrothesby Digby, Noel Digby, Elizabeth the Wife of the said William Mills, Jane the Wife of the said Charles Mills, Anne Dolben, and Jane Mackworth are the *next of kin* of the said Lunatic, they being the only surviving Great-Grand Children of Kildare Lord Digby who was the Grand-father of Frances Digby the Wife of the said James, the last Lord Viscount

Scudamore, and the Grand-mother exparte maternâ of the said Lunatic.

All which, &c.

(Signed) J. S. Harvey.

(Copy Bond.)

The Dowager Duchess of Norfolk, a Lunatic.

Know all Men by these Presents, that We, The Right Honorable Edward Earl Digby, Sir Edwin Francis Stanhope of Stanwell, in the County of Middlesex, Baronet, Daniel Burr of Upper Fitzroy Street, Fitzroy Square, in the County of Middlesex, Esquire, Henry Bateman of Lincoln's Inn, in the said County of Middlesex, Esquire, and Rowland Wimburn of Chancery Lane, in the said County of Middlesex, Esquire, are bound and firmly obliged to our Most Serene Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, in Three Hundred Pounds of good and lawful Money of Great Britain, to be paid to the same Lord the King, his heirs or successors: to which payment well and truly to be made We bind ourselves, and

every of us jointly and severally, our Heirs, Executors, and Administrators, and the Heirs, Executors, and Administrators of each of us, firmly by these presents, Sealed with our seals. Dated the twenty-third day of September, in the Fifty-seventh year of the Reign of our said now Lord the King, &c. and in the year of our Lord one thousand eight hundred and seventeen.

THE CONDITION of the above written Obligation is such, that Whereas the Right Honorable John Lord Eldon, Lord High Chancellor of Great Britain, hath given directions that the above bounden Edward Earl Digby, Sir Edwin Francis Stanhope, and Daniel Burr, shall have a Grant under the Great Seal of Great Britain, of the Custody of the Person, and management of the real and personal Estate of the Most Noble Frances Fitzroy Howard, Dowager Duchess of Norfolk, a Lunatic, she being unable to govern herself or to manage her Estate during the continuance of her Lunacy. If therefore the said Edward Earl Digby, Sir Edwin Francis Stanhope, and Daniel Burr shall yearly, or oftener if they be thereunto required, make a just and true account of all and singular the Rents, Issues, and

Profits of the real Estate of the said Lunatic, and also of her personal Estate, and the profits thereof as now are or hereafter shall come to their hands, custody, or possession, or which they may receive out of or concerning the said Estate, and shall carefully observe, perform, and keep the orders and directions of the Lord Chancellor of Great Britain, Lord Keeper or Lords Commissioners for the custody of the Great Seal of Great Britain for the time being, made or hereafter to be made, touching or concerning the said Lunatic and her Estate, and touching all such Monies as shall yearly remain due upon the foot of their Account duly taken by one of the Masters of the High Court of Chancery, and filed in the Office for that purpose appointed; and shall be careful to see the Houses, Buildings, and Structures of the said Lunatic to be well and sufficiently repaired, and so kept and maintained during the continuance of the said Grant; and shall carefully preserve and keep all the Deeds, Evidences, and Writings touching the Manors, Messuages, Lands, Tenements, Hereditaments and Estate of the said Lunatic, as now are or hereafter shall come to their hands, custody, or possession; and shall carefully provide for

the person of the said Lunatic, and for her safety and for her family (if any be or shall be) during the continuance of the said Grant, and shall bring the said Grant to the Clerk of the Custodies and Post Mortems within one month or sooner next after the same shall be passed under the Greal Seal of Great Britain to be there inrolled ; and shall not sell or alien their Interest in the said Custody or Grant to any person or persons whomsoever, without the Consent or Agreement of the Lord Chancellor of Great Britain, Lord Keeper or Lords Commissioners for the Custody of the Great Seal of Great Britain for the time being, but shall in all things demean themselves as careful and faithful Grantees or Committees of the Person and Estate of the said Lunatic, That then the said Obligation to be void, or else the same to stand, remain, and be in full force and virtue.

DIGBY. L. S.

Signed, Sealed and Delivered by the above-named EDWARD EARL DIGBY, in the presence of us,

E. F. STANHOPE. L.S.

DANIEL BURR. L. S.

H. BATEMAN. L. S.

ROW. WIMBURN. L. S.

Signed, Sealed and Delivered by the above-named Sir EDWIN FRANCIS STANHOPE, in the presence of

G. W. Parkinson, of Malaga, Merchant.
Jeremiah Parkinson, of Lime-street Square in the City of London, Gent.

Signed, Sealed and Delivered by the above-named DANIEL BURR, in the presence of

Sharon Turner, of Red Lion Square, Gent.
Alfred Turner, son to the above.

Signed, Sealed and Delivered by the within-named ROWLAND WIMBURN, in the presence of

John James Webb, } Clerks to Mr. Wim-
M. H. Gregory, } burn.

This is the Bond referred to by Mark Henry Gregory in his Affidavit, sworn before me the 4th day of November, 1817.

SAM. C. COX.

Letters from General Burr to Sharon Turner, Esq.

Upper Fitzroy Street, Fitzroy Square, Thursday, 4th December, 1817.

Dear Sir,

Although we have at different times expressed how much we stand indebted to your exertion and minute attention to bring forward every evidence that would tend to manifest with clearness our Interest in the Hom-Lacy Estate; we are desirous of testifying still farther the high sense we entertain of your valuable services in this concern.—We therefore request you will draw up Two Bonds, subject to payment one month after we shall have come into the full possession of our several shares of that estate; one on the part of John Parsons, Esq. his heirs and assigns, for the sum of One Thousand Pounds, payable to you, your heirs and assigns, without interest; and the other, on the part of Miss Ann Susannah Davis, her heirs and assigns, jointly with General Burr (on the part of his wife Mary Burr, their heirs and assigns), for a like joint sum of One Thou-

sand Pounds, also payable to you, your heirs and assigns, without interest.

We wish it to be understood, that we consider these two bonds to be entirely distinct from, and not including a discharge of any expense that has arisen, or may arise in the farther prosecution of our rights. With every sentiment of esteem, and every wish for your health and happiness,

We remain, DEAR SIR,

most faithfully yours,

(Signed) JOHN PARSONS.

(Signed) DANIEL BURR.

Sharon Turner, Esq.

Answer.

32, *Red Lion Square*,
4th Dec. 1817.

DEAR SIR,

I am sensibly affected by the kindness of yourself, Mr. Parsons and Miss Davis, in desiring me to prepare the Bonds you mention. Nothing can be more gratifying to me than such a liberality so handsomely conferred. I

beg to return through you to Mr. Parsons and Miss Davis, as well as to your amiable Lady and yourself, my sincere thanks, and not merely for the pecuniary benefit intended, which fully equals my wishes, but for the approbation which has accompanied it.

Nothing shall be left undone by me that can substantiate your rights and interests; and indeed, quite independent of your handsome present, nothing would really give me more pleasure than to put you into full possession of the property to which you are now so fairly entitled and so justly declared to be so.

I am, Dear Sir, with every sentiment of regard to yourself and family, and to Mr. Parsons,

Yours most faithfully,

and much obliged,

(Signed) Sharon Turner.

Lieut. Gen. Burr.

Upper Fitzroy-street, Fitzroy-square,
Thursday, 11th Dec. 1817.

Dear Sir,

The importance attached to the final settlement of my family claims upon the Duchess of Norfolk's estate, has pressed very forcibly on my mind, and led me to a serious consideration of the present state of the business, as detailed in the several particulars of your account: and I assure myself of your readiness to pay full attention to what I may suggest in relation to the subject. It appears to me, something more efficient than has already been done, is absolutely necessary to secure us in the possession of our rights.—I think there should be a kind of Historical Detail of Facts, drawn out with reference to every Document used in evidence; and that this Detail of Facts, with the several Documents, should be lodged in the Bank of England.

I trust you will believe I have not in the least degree lost sight of your laborious exertions in bringing the business to its present happy issue—my object is to establish, in the most secure manner, what has been effected, by

being prepared to bring forward evidence which no future claimant can possibly set aside. It may so be that neither yourself, Mr. Parsons, or I, may be living at the time when the final adjustment of this business takes place. Under such a circumstance, what I have pointed out will afford the greatest security to my family—because the Documents being lodged in the Bank, we may consider them safe from fire and depredation.

I remain, Dear Sir,

Yours sincerely,

(Signed) DANIEL BURR.

Sharon Turner, Esq.

32, *Red Lion Square*,
23*d Dec.* 1817.

DEAR SIR,

In answer to your Note, I beg to inform you that your Claim and Descent, and also the series of Facts, Registers, Documents, and Evidences, illustrating and proving each part, were taken in by me to the Master's Office, and left there with the other papers, and will there

remain, as is usual with his other Documents, in safe custody.

I have a Box of Deeds, which, at a future period, may be deposited at your Banker's in the joint names of Mr. Parsons, Mrs. Burr, and Miss Davis. I may yet have some occasion to refer to them.

I am, Dear Sir,

Yours most faithfully,

(Signed) SHARON TURNER

Lieut. Gen. Burr.

Copy of what passed before the Chancellor on ordering the Possession.

COURT OF CHANCERY, FEBRUARY 1, 1821.

In re Duchess of Norfolk.

Mr. Hart.—My Lord, you said you would take the Lunatic Petitions in the Case of the Duchess of Norfolk this morning; your Lordship will recollect they were the Petitions of the several Heirs at Law, Mr. Heald was Counsel on part of the defendant Mr. Jack-

son, who appeared before the Master under a preceding order of your Lordship, and the Master has reported they were the Heirs at Law, and these Petitions therefore are merely as matters of course for the Heirs at Law to be put into possession. Mr. Jackson has proceeded to inspect the papers, he has been before the Master and has made several inspections, and has ceased to do so. A letter was written on his part, dated January 15th, in which he expresses himself in these terms:— "Pressed before the Master, I am sorry I am unable to attend the appointment of the Master this day. I shall see my client on the result of that investigation, and will then inform you without delay if I shall make any farther search among the papers." And he has made no farther search. He has had a full opportunity, and he does not mean to make any farther search. At least I am not instructed that he does. Mr. Heald had his brief, I do not know that he has any fresh instructions to state any thing farther to your Lordship on the part of his client. In consequence of the suspense there has been in this business many persons in this country have taken a fancy that no heirs are to be found. Addressing himself to Mr. Heald, Have you any instructions?

Mr. Heald.—I do not know any thing new having occurred since this case was last before the Court. I understood that your Lordship intended to put these parties into some mode of trying their respective rights.

Lord Chancellor.—I allowed this to stand over, to give you an opportunity of inspecting the papers in the Master's Office, and to let me know what your client would have done. There is a letter from your client, dated the 15th January, stating that if he wished to take any farther part, he would inform them without delay.

Mr. Hart.—I have an affidavit of that fact.

Mr. Heald.—My client is advised his client's title is the best, but I understand from him he does not think of making any farther search in the Master's Office, because in truth all the search was made before.

Lord Chancellor.—It was permitted to stand over for the express purpose of giving your client an opportunity of inspecting the papers in the Master's Office, and of informing me what he would have done.

I must bring it to a conclusion one way or another.

Mr. Heald.—He was perfectly aware of all

the papers in the Master's Office, and every thing to be found in those papers. And therefore it was not necessary to make any farther search, I was not aware it was necessary to lay that fact before your Lordship. We are precisely in the same situation in which we were when this business was last before the Court. There is nothing in favour of your claim more, than that of my client, but that the Master has found them Heirs at Law, though the Master stated he would not prejudice any party.

Mr. Hart.—I should be glad to know whence Mr. Heald has found these facts. He now says his client was as well aware of the facts before as he is now. He formerly said he was not acquainted with them, and requested your Lordship to let this stand over till he had an opportunity of inspecting those papers which he now says his client was acquainted with before.

Lord Chancellor.—Let this stand over peremptorily till Saturday morning, and then I will hear what Mr. Heald's client has to state.

Mr. Hart.—Your Lordship is not aware of all the inconvenience to these parties arising from delay in this case.

COURT OF CHANCERY, FEBRUARY 3, 1821.

Mr. Hart.—Your Lordship was pleased to say that the Petitions in the Case of the Duchess of Norfolk's Lunacy should come on peremptorily this morning.

Mr. Heald.—I trust it is now convenient for me to state to your Lordship what instructions I have received since this matter was last before your Lordship, and which I should have done at the sitting of the Court, if your Lordship had delivered no judgments.

The case I am instructed to represent is this: that Mr. Jackson has been considered by the family, and I can have an affidavit stating it, if necessary, that he was considered by the late Duke of Norfolk, as Heir of the Duchess, that, however, does not prove that Mr. Jackson was the Heir at Law of the Duchess. At the death of the Duchess, Mr. Jackson was at Buenos Ayres, engaged in affairs of importance. A letter had been received from him prior to the death of the Duchess of Norfolk, who died in the month of October last, by his sister Miss Jackson, which induced his sister to believe, though not stated in express terms,

that he would shortly arrive in this country, and in consequence of that, an application was made, though he had no intimation of her death, to suspend the hearing of the Petition till the 16th of December last, as in the opinion of the parties he would arrive by that time. He did not arrive at that period, neither has he yet arrived, and I thought it right to ask what communication was made, when it was made, and when it was probable he would arrive, &c. I am informed that on the very day the Duchess died, or at least on the very day her death was known in London, a letter communicating that fact was dispatched to Mr. Jackson. A letter was immediately written. But there is no packet for sending letters to Buenos Ayres, and in consequence of that there is no way of sending a letter to that part of the world but by merchant vessels, and that it could not arrive in less than three months. The Duchess died in the latter end of the month of last October, and the letter that was written to him on that event, could not arrive till about a fortnight or three weeks ago. There is every reason to believe that letter has reached him, and the parties in this country not having any instructions from him as to the course to be

taken the Solicitor does not feel himself in a situation to submit to any order for Mr. Jackson's title with Sir E. Stanhope and others, and he leaves it to your Lordship to decide whether it should be decided upon till he has an opportunity of being heard, or in any other way your Lordship shall think right. Whether your Lordship, if his arrival in this country is too late, whether your Lordship would order the possession of the Estates should be delivered to Sir E. Stanhope and the others or not, is not for me to say. All I have to state is the absence of Mr. Jackson, and the utter impossibility, from the time that has elapsed, to have received any order from him for the trial of his title with the different claimants. As I have said, there was reason to believe, from a letter received, written by him, before he could receive any tidings of her death, which could only arrive two or three weeks ago, and which letter induced his sister and the Solicitor to think that he would soon arrive here, and that he had not as yet arrived, in consequence of engagements that detained him there; and he has made an affidavit that he believes he will come over the moment he has received that letter written to him since the Duchess's death.

Mr. Hart.—The question is whether a statement without the shadow of evidence to support it is to entitle him to that possession, which his Counsel says he is entitled to.

Mr. Heald.—I mention an affidavit.

Mr. Hart.—I never knew that a court heard the case and afterwards the evidence.

Mr. Heald.—Where you have been I do not know, because it is done every day. It is sworn he is at Buenos Ayres.

Mr. Hart.—It stood peremptorily for this morning.

Lord Chancellor.—The Court is under very great difficulty in such a case. As to my authority it is quite gone as Chancellor in lunacy. I have nothing more to do with it. It does appear to me as a general principle, I must consider the persons traced as Heirs at Law are entitled to possession.

Mr. Heald.—If your Lordship should deliver possession to the persons who have been found by the Master to be the Heirs at Law, you should take care that it should be delivered to Mr. Jackson, if he makes any case after his arrival in this country. Both parties in this pedigree claim down to a certain degree in the same way. A great number of persons are

disposed of, and it would be extremely difficult, now, if Sir E. Stanhope gets the possession without any further evidence, it would be hard if Sir E. Stanhope were to say, Possession is nine-tenths of the law; it is not necessary for me to give further evidence; and he might throw every difficulty in the way of Mr. Jackson's title. I suppose you meant something of this kind, when you said you would take care that the difficulties that arose from Mr. Jackson's absence should be guarded against.

Lord Chancellor.—After the best consideration I have been able to give this subject, I have no jurisdiction in the world in this, none at all. I have no objection to its being stated, on its being moved, that possession should be delivered to those persons who were reported to be Heirs at Law. Let the possession therefore be delivered to them, without prejudice to the right of any other person.

Mr. Hart.—I certainly cannot resist it. Your Lordship recollects, when this case was first stated, it was alledged though they have personally attended the Master through the pedigree, the result was, it was found to be in favour of my clients.

Lord Chancellor.—What Mr. Harvey said

is material for both, Mr. Jackson declined any further contest. Mr. Harvey thought it was a question between them. But on the other hand he thought the question was in favour of vour client and against Mr. Heald's.

Mr. Hart.—His person is not that which can introduce any thing like a right. It must be through the medium of investigation, and when it was to stand over, it was stated, that Mr. Jackson's Solicitor had not an opportunity of searching all the pedigree and deeds in the Master's Office. And when that opportunity was given to him, he abandoned it as hopeless.

Lord Chancellor.—Mr. Jackson's Solicitor is under this difficulty: he knows the late Duke of Norfolk was a great pedigree man, and considered Mr. Jackson as Heir at Law; but what these conversations were, or what they would lead to, he did not know till he saw Mr. Jackson himself.

Mr. Heald.—If they can get into possession on the title as it now stands, they will have considerable advantage over Mr. Jackson.

Lord Chancellor.—I do not mean to give any opinion that he is not the Heir at Law, but simply to say that I must consider the

persons, who appeared before the Court as the Heirs at Law.

Mr. Hart.—Ignorant persons do not read your Lordship's orders as more intelligent men do. And we are only apprehensive the moment that any reservation is stated, half the country will think that reservation applied to them, as in the Angel Case.

Lord Chancellor.—Let the possession be delivered to your clients.

Mr. Heald.—The Angel Case might have been obviated at once. Indeed I have seen Miss Jackson, and had a long conversation with her, and I have strong reason for thinking that Mr. Hart's client is not entitled; but at the same time it is quite another question, whether we are. I think very probably that neither of us is entitled.

Lord Chancellor.—That makes it more necessary I should be cautious.

Mr. Heald.—No doubt your Lordship will be cautious, you are always so. This Angel Case might be obviated by the clients of Mr. Hart having a little forbearance, and just waiting for three months, in order to hear whether Mr. Jackson will or will not give them any trouble.

Lord Chancellor.—I wish both of you to

consider the situation in which I am placed. If Mr. Wingfield keeps possession, Mr. Wingfield is the only man with whom I could interfere, because he was the Committee, and I wish you only to consider what I could do with third persons.

Mr. Hart.—You were peremptorily to decide it this morning.

Lord Chancellor.—I have disposed of it by having ordered the possession to be taken.

Mr. Wingfield.—Of course, with a reservation to the Receiver.

Lord Chancellor.—I shall make this Order. The Court does not think proper to go into the question, whether the one or the other is entitled. But let the possession be delivered to them who are reported Heirs at Law.

Mr. Hart.—Very well, my Lord, I am content with that.

Lord Chancellor.—Mr. Wingfield must have the possession so far as to receive the rents.

Mr. Wingfield.—My Lord, with respect to the Demesne Lands, I believe there is some question whether the title of Lord Digby was ever barred. It is proposed it should be left in my possession till that point is settled.

Lord Chancellor.—I have jurisdiction to deliver the possession of these Estates to the reported Heirs at Law; and then my power is gone. I have jurisdiction to direct that the Committee do receive all rents in arrear. But I have no jurisdiction to decide about titles gone.

Mr. Sugden.—My Lord, I appear for General Fitzroy, and the only question with regard to him is, what portion of the Estate he is entitled to. That it be referred to the Master to ascertain what portion of the Estate belongs to General Fitzroy.

Lord Chancellor.—What jurisdiction have I to do that?

Mr. Hart.—I do not object to it. It is only to decide on what parcel of the Estate belongs to this gentleman.

My Lord, there is another question, and that is the exoneration of the Estate from sums charged. My Lord, with respect to the question of Five Thousand Pounds your Lordship suggested, it was probable that point would be decided on a bill filed. But the parties contending are very willing to have the question decided by your Lordship on petition.

We are perfectly satisfied on all sides to have that part of the case heard and decided on petition, if your Lordship pleases. I do not mean that you should take it now.

Lord Chancellor.—I have no objection.

Mr. Wingfield.—Now?

Mr. Hart.—No, this is to stand over.

Order for giving Possession.

Saturday the 3rd day of February, in the second year of the Reign of His Majesty King George the Fourth, and in the Year of our Lord, 1821, In the matter of the Most Noble FRANCES FITZROY HOWARD, DOWAGER DUCHESS OF NORFOLK, a Lunatic.

WHEREAS John Parsons, Esq. Daniel Burr, Lieutenant General of His Majesty's Forces, and Mary his Wife, and Ann Susannah Davis of the City of Bristol, Spinster, did on the 17th day of November, last, refer their petition to me, stating that the said Dowager Duchess of Norfolk above-named, was before her

marriage with the late Duke of Norfolk, seized and possessed of divers Manors, Messuages, Parks, Lands, Tenements, Woods, Tithes, Advowsons and Heredits in the several Counties of Hereford, Buckingham, Gloucester, Monmouth and Surrey and elsewhere, and that by certain Indentures of Lease and Release and Settlement, bearing date respectively the 22nd and 23rd days of March, 1771, the Release being made between the said Dowager Duchess by her then name of Frances Fitzroy Scudamore, Spinster, of the first part, the said Charles, late Duke of Norfolk by his then name, of the Honourable Charles Howard the younger, of the second part, Joshua Sharpe and Henry Mountfort, Gents. of the third part, Henry Curwen and John Scudamore, Esquires, of the fourth part, the Honourable Charles Fitzroy and Samuel Lord Marsham, of the fifth part, Herbert Westfaling, Esquire and Sir Chandos Hoskyns, Bart. of the sixth part, Sir Francis Charlton, Bart. Thomas Howard and Philip Howard, Esquires, of the seventh part, George Howard, Esquire of the eighth part, and Charles Fitzroy Scudamore, Esquire, father of the said Frances Fitzroy Scudamore, of the ninth part. After reciting amongst other

things that a marriage was intended to be had and solemnized between the said Charles Howard and Frances Fitzroy Scudamore, It was witnessed that in consideration of the said intended marriage, and for other the considerations therein mentioned, and for barring all Estates, Tail and Reversions expectant thereupon of and in the Heredits and Premises therein mentioned, and for settling and assuring the same upon the trusts after-mentioned, the said Frances Fitzroy Scudamore did grant, release and confirm unto the said Joshua Sharpe and Henry Mountfort and their heirs, the several Manors, Messuages, Parks, Lands, Tenements, Woods, Tithes, Advowsons, Heredits and Premises therein particularly mentioned and described in the several Counties of Hereford, Bucks, Gloucester, Monmouth and Surrey, to hold unto and to the use of the said Joshua Sharpe and Henry Mountfort and their heirs, in trust for the said Duchess, until the solemnization of the said marriage, and afterwards, to the intent that five several recoveries might be suffered of the said Heredits and Premises, and which, except the said Advowsons, were to be thereby vested in the said Henry Curwen and John Scudamore, and the survivor of them

and their heirs, upon and for the several uses, ends, intents, and purposes therein, and in part hereinafter mentioned and declared concerning the same, viz. To the use that the said Charles Fitzroy Scudamore and his assigns might receive an annuity of One Thousand Pounds thereout for life, with power of entry and distress in case of non-payment thereof, and to the further use and intent, that the said Charles Fitzroy and Samuel Lord Marsham and their heirs might thereout yearly and every year during the joint lives of the said Charles Howard, Frances Fitzroy Scudamore, and Charles Fitzroy Scudamore, receive an annuity of Five Hundred Pounds a year, upon certain trusts therein mentioned, and to the further use and intent, that in case of the death of the said Charles Fitzroy Scudamore, during the lives of the said Charles Howard, and Frances Fitzroy Scudamore, then that the said Charles Fitzroy and Samuel Lord Marsham and their heirs might receive an annuity of Seven Hundred Pounds instead of the said annuity of Five Hundred Pounds, which was then to cease, during the joint lives of the said Charles Howard and Frances Fitzroy Scudamore, upon certain trusts therein mentioned, with power of

entry and distress for securing the same with remainder to the use of the said Herbert Westfaling and Sir Chandos Hoskyns, their Executors Administrators and Assigns for the term of Four Hundred Years, upon the trust therein after mentioned, without remainder to the use of the said Sir Francis Charlton, Thomas Howard, and Philip Howard, their Executors Administrators and Assigns for the term of Five Hundred Years, without impeachment of waste upon certain trusts therein after declared concerning the same, with remainder to the use of the said Frances Fitzroy Scudamore and her Assigns, without impeachment of waste, with power of leasing as therein after mentioned, with remainder to the use of the said Henry Curwen and John Scudamore, upon trust to support the contingent remainders after limited, with remainder to the use of the said Charles Howard for life, without impeachment of waste, with remainder to the use of the said Charles Curwen and John Scudamore and their Heirs, upon trust to support the contingent remainders. And as to for and concerning the said Manors and Heredits, except the said Advowsons, from and after the determination of the several uses therein before limited in use, It was declared

that the said five common recoveries should be and enure to the several uses, and for the several intents then following (that is to say), In case there should be more sons than one of the said Charles Howard and Frances Fitzroy Scudamore, his said intended wife, who should attain twenty-one years, to the use of such son and to his Heirs male, as the said Charles Howard and Frances Fitzroy Scudamore, or the survivor of them, should jointly appoint, and in default thereof and subject thereto to the use of such son and his heirs male, as the survivor of them the said Charles Howard and Frances Fitzroy Scudamore, should appoint as therein mentioned, with remainder to the use of the first and other sons of the said marriage severally and successively, and their heirs male, and for default of such issue, to such uses as the said Frances Fitzroy Scudamore, whether covert or sole, should in manner therein mentioned direct or appoint, with remainder to the heirs of the body of the said Frances Fitzroy Scudamore, with remainder to the use of the right heirs of the said Frances Fitzroy Scudamore for ever. And it was by the said Indenture of Release and Settlement amongst other things provided and

declared, that it should be lawful for the said Frances Fitzroy Scudamore, but subject to and chargeable with the payment of the said several annuities or sums of One Thousand Pounds, Five Hundred Pounds, and Seven Hundred Pounds therein before charged and made payable as aforesaid, and for the benefit of the several persons therein named, and without prejudice thereto from time to time during the joint lives of the said Frances Fitzroy Scudamore and Charles Howard, from and after the said several common recoveries to be suffered as aforesaid, should be perfected by any deed or deeds, instruments or instrument, in writing so sealed and delivered, and to be attested by two or more credible witnesses, by and with the express concurrence, consent, and good liking of the said Charles Howard, testified by his being a party thereto and sealing and delivering such deed or deeds respectively, to borrow and take up at interest on the credit of, or to levy and raise, or direct to be levied and raised out of all or any of the said Manors, Messuages, Lands, Tenements, Tithes, Hereditts and Premises therein comprized (other than the said Advowsons and other ecclesiastical benefices), any sum or sums of money not

exceeding the principal sum therein and after mentioned, and for the purpose of securing the money so to be borrowed and taken up at the will of the said Frances Fitzroy Scudamore, from time to time during such joint lives as aforesaid, and with such concurrence, consent, and good liking, as aforesaid, to subject and charge all or any of the same Heredits and Premises, but without such prejudice as aforesaid, with and for the payment of any principal sum or sums of money whatsoever unto or for the benefit of any person or persons whomsoever, and for such intents and purposes as to her the said Frances Fitzroy Scudamore, with such concurrence and consent and good liking as aforesaid, should seem meet, so as all and every the principal sum or sums which the said Heredits and Premises, or any part thereof should be subjected to or liable to pay, or which should be charged thereon, or on any part thereof by virtue of any such charge, deed, or instrument, being composed together should not exceed in the whole the principal sum of Twenty-five Thousand Pounds, with reasonable interest for the forbearance thereof. And to the end that the said sum and sums of money so to be borrowed and taken up at inte-

rest might be effectually secured, It was thereby declared that it should be lawful for the said Frances Fitzroy Scudamore, and that she should have full power and authority, at her free will and pleasure, by and with such concurrence, consent and good liking as aforesaid, (testified as aforesaid,) but without prejudice to the said several annuities last mentioned, and to the several powers, remedies and securities for the same as last was expressed, by the same deed or deeds, instrument or instruments or any other such like deed or deeds, instrument or instruments so sealed and delivered and attested as last mentioned, in order to the purpose of securing any such principal sum or sums so as not exceeding in the whole the principal sum of Twenty-five Thousand Pounds, with interest for the same, to limit or create any term of years, or to make or execute any demise or demises, lease or leases, by way of mortgage of the Premises so charged or any part or parcel thereof, for any term or number of years whatsoever, without impeachment of waste, so as the Estate or Estates which should be granted by all and every such deed or deeds, instrument or instruments, demise or demises, lease or leases, should be made

redeemable or defeasible in full payment of such sum or sums of money not exceeding in the whole the said sum of Twenty-five Thousand Pounds, with reasonable interest for the same, or so much of such principal and interest as the said Premises or any part thereof should be so charged with or made subject or liable to pay and satisfy, by virtue of the same power or proviso by the person or persons, who for the time being should be next entitled to the Freehold and Inheritance of the said Premises so to be demised, and so as there should be contained in the same deeds or instruments, express declarations and agreements on the parts of the said Frances Fitzroy Scudamore and Charles Howard, respectively, whereby they should undertake and agree to pay, keep down and discharge the interest which, from time to time, become due in respect of the principal sum or sums of money so to be borrowed, taken up or charged, as last mentioned, and that the said term of Four Hundred Years was created for the purpose of better securing the payment of the several annuities therein mentioned, which had long since ceased, and of raising a sum of Twenty Thousand Pounds, after the death of the said Charles

Howard, Duke of Norfolk, for the benefit of the said Dowager Duchess of Norfolk, if she survived him, and should so direct who had died without directing the same, and that the said term of Five Hundred Years was created for the purpose of raising portions for the Daughters of the said marriage, and that five common recoveries were suffered in pursuance of the said Indenture of Release, and a sum of Five Thousand Pounds was raised in May, 1774, in execution of the power given by the said Indenture of Release by the said Dowager Duchess, with the consent of the said Duke, which had not been paid off, on which proceedings had been had before me, and a reference made to the said Master thereon, whose report, approving of the same being paid off, I had confirmed. And that by virtue of an Order made in the said matter on the 22d day of April, 1816, upon the Petition of Robert Jackson, Esquire, Ann Jackson, Carey Maria Jackson, and Mary Phillips, a commission in the nature of a Writ de Lunatico Inquirendo, bearing date at Westminster, the 27th day of April, 1816, was awarded and issued, directed to certain Commissioners therein named, to enquire of the Lunacy of the said Most Noble

Frances Fitzroy Howard, Dowager Duchess of Norfolk, and that the said Commission was duly executed on the 5th day of June, 1816, before three of the Commissioners in the said Commission named, and it was thereby found that the said Dowager Duchess of Norfolk was a Lunatic, and did not enjoy lucid intervals, so that she was not sufficient for the government of herself, her Manors, Messuages, Lands, Tenements, Goods and Chattels, and that she had been in the same state of mind from the month of December, 1782. And it was by the said Inquisition further found that whether the said Dowager Duchess of Norfolk, being in the same condition, had alienated any Lands or Tenements, as also what Lands and Tenements, Goods and Chattels then remained to the said Dowager Duchess of Norfolk, the Jurors knew not, save that they found that the said Dowager Duchess of Norfolk had divers Manors, Lands, and Tenements in the several Counties of Hereford, Gloucester, Monmouth, Buckingham and Surrey, but who was the nearest Heir of the said Dowager Duchess of Norfolk, the Jurors aforesaid knew not. And that by an order made in the said matter on the 22d day of June, 1816, upon the Petition

of the said Robert Jackson, Ann Jackson, Carey Maria Jackson, and Mary Phillips, it was ordered that it should be referred to Mr. Harvey, one of the Masters of the Court of Chancery, to enquire and certify who was or were the most fit and proper person or persons to be appointed Committee or Committees of the person and Estate of the said Lunatic, and also who was or were the Heirs or Heir at Law and next of Kin of the said Lunatic, it was further ordered (under the particular circumstances of the case) that the said Master should enquire and certify what was the situation of the said Lunatic, and the nature of her Lunacy, and of what the fortune of the said Lunatic did at the time of issuing the commission of Lunacy in this matter consist, and whether any and what Rents and Profits of the said Lunatic's real and other Estates and Property had accrued due to the said Lunatic, and by whom the same had been received and how the same had been applied, and in what manner, at what expence, and by whom the said Lunatic had thitherto been maintained since the death of the said late Duke, and also to enquire and certify what would be a proper plan for her future maintenance and support, and also

what would be fit and proper to be allowed for her maintenance and support for the time to come, regard being had to her circumstances and Estate. And it was further ordered that pending the enquiries thereby directed, it should be also referred to the said Master to enquire whether it would be fit and proper to appoint a Receiver or Receivers of the said Lunatic's Estate, or of any part thereof, and in case the said Master should be of that opinion, then it was further ordered that the said Master should appoint a proper person or persons to be a Receiver or Receivers of the arrears and growing rents and profits of the said Lunatic's Estates, with the usual directions. And that the said Master by his Report in the said matter, bearing date the 8th day of August, 1816, made in pursuance of the said last mentioned order, appointed William Wingfield, of Lincoln's Inn, in the County of Middlesex, Esquire, to be Receiver of such of the said Estates of the said Dowager Duchess of Norfolk, as she was entitled to in fee, and the said William Wingfield thereupon entered into such security as was directed by the said last mentioned order, and to the approbation of the said Master, and entered into the receipt of

the Rents and Profits of the said Estates, whereof he was so appointed Receiver. And that by an order made in the said matter, bearing date the 7th day of August, 1816, it was ordered that for the better enabling the said Master to prosecute the enquiries directed by the said order of the 22d day of June, 1816, as to who were the Heirs at Law and next of Kin of the said Lunatic, that the said Master should be at liberty to cause advertisements to be published in the London Gazette and such other public papers as he should think fit for all persons claiming to be the Heir at Law, or next of Kin of the said Lunatic, or who claimed to have any Estate or Interest in reversion or remainder of the real and personal Estate and Property of the said Lunatic, to come in before him by a time to be limited, and prove their claims, and in default thereof, such persons were to be excluded the benefit of the said order. And that the said Master, by his further separate Report in the said matter, bearing date the 13th day of May, 1817, in further pursuance of the said last mentioned order of the 22d day of June, 1816, certified that he had been attended by Mr. Arthur Clarke as Solicitor for the said

Robert Jackson, Ann Jackson, Carey Maria Jackson, and Mary Phillips, and by Messrs. Collett, Wimburne and Collett, as Solicitors for Sir Edwin Francis Stanhope, and by Mr. Turner, as Solicitor for the Petitioners John Parsons, Lieutenant General Daniel Burr, and Mary his wife (late Mary Davis,) Ann Susannah Davis, Spinster, and by Mr. England, as Solicitor for John Jones, Gent. and by Mesrss. Darke, Church and Darke, as Solicitors for John Scudamore Lechmere, Esquire, and by Messrs. Bateman and Jones, as Solicitors for Wriothesley Digby, Noel Digby, William Mills, and Elizabeth his Wife, (late Elizabeth Digby,) and Charles Mills and Jane his Wife (late Jane Digby,) Ann Dolben and Jane Mackworth, and by Messrs. Goodeve and Ranken, as Solicitors for Henry John Kearney, Esquire, Annabella Cartwright, Widow (late Annabella Kearney), Frances Baldwin, Widow (late Frances Kearney), Henrietta Catherine Fairfax, Widow (late Henrietta Catherine Kearney), and the Reverend Cartwright and Susannah his Wife (late Susannah Kearney) and in their presence he had proceeded to enquire who was or were the Heir or Heirs at Law and next of Kin of the said Lunatic, and he had considered the claims of the

said several persons, and the evidence produced before him in support of the same, and upon consideration of the matter, he was of opinion that the said Sir Edwin Francis Stanhope and the said John Parsons, Mary the Wife of the Petitioner Daniel Burr and Ann Susannah Davis were the co-heirs at law of the said Lunatic; the said Sir Edwin Francis Stanhope being the only son of Sir Henry Edwin Stanhope, Baronet, who was the only son of Lady Catherine Brydges, by Edwin Francis Stanhope, Esquire, her second husband, which Lady Catherine Brydges was the eldest daughter of the Honourable John Brydges, commonly called Marquis of Carnarvon (and Lady Jane the youngest sister having died without issue), who was the eldest son of James the ninth Lord and first Duke of Chandos, and which James Duke of Chandos was the eldest son of James the eighth Lord Chandos, who was the only son of Sir John Brydges, Baronet, who was the eldest son of Sir Giles Brydges, Baronet, and Dame Mary his Wife, which Dame Mary was one of the sisters of John the first Lord Viscount Scudamore, who was the Great Grandfather of James the last Lord Viscount Scudamore, and which James Lord Viscount Scudamore was the Grandfather, ex parte ma-

ternâ, of the said Lunatic, whose father, Charles Fitzroy Scudamore, was illegitimate. And the said John Parsons, Mary the Wife of the said Daniel Burr, and Ann Susannah Davis, being the Great Grandchildren and Co-heirs of James Higford, who was the only surviving Son and Heir of William Higford, who was the eldest surviving Son and Heir of John Higford, and which John Higford was the eldest Son of John Higford, of Dixton, and Frances his Wife, who was another sister of the said John the first Lord Viscount Scudamore. And the said Master found that the said Wriothesley Digby, Noel Digby, Elizabeth the Wife of the said William Mills, Jane the Wife of the said Charles Mills, Ann Dolben, and Jane Mackworth, were the next of Kin of the said Lunatic, they being the only surviving Great Grandchildren of Kildare, Lord Digby, who was the Grandfather of Frances Digby, the Wife of the said James the last Lord Viscount Scudamore, and Grandmother, ex-parte maternâ of the said Lunatic. And that by an Order made in the said matter, bearing date the 7th day of June, 1817, it was ordered that the said Master's said Report should be confirmed, and that the said Master, by his former sepa-

rate Report, made in the said matter, bearing date the 28th day of July, 1817, in further pursuance of the said Order of the said 22d of June, 1816, certified that he had been attended by the Solicitors for Sir Edwin Francis Stanhope, and for the said Petitioners, which said Sir Edwin Francis Stanhope and the Petitioners, John Parsons, Mary Burr and Ann Susannah Davis were the Co-heirs at Law of the said Lunatic; and by the Solicitor for the said Wriothesley Digby, Noel Digby, William Mills, and Elizabeth his Wife, Charles Mills, and Jane his Wife, Ann Dolben and Jane Mackworth, were the only next of Kin of the said Lunatic, would be entitled in distributive shares to her personal Estates, in case she were then dead intestate; and also by the Solicitors for the said Robert Jackson, Ann Jackson, Carey Maria Jackson, and Mary Phillips, and in their presence he had proceeded to enquire who was or were the most fit and proper person or persons to be appointed Committee or Committees of the Person and Estate of the said Lunatic, and a proposal having been laid before him on the part of the said Wriothesley Digby, Noel Digby, William Mills, and Elizabeth his Wife, Charles Mills and Jane his Wife, Ann Dolben

and Jane Mackworth, the next of Kin of the said Lunatic, whereby the said Edward Earl Digby, Sir Edwin Francis Stanhope, and the Petitioner Daniel Burr, were proposed as proper persons to be appointed Committees of the Person and also of the Estate of the said Lunatic. And upon consideration of the matter and the said Sir Edwin Francis Stanhope, and the Petitioners having assented to the said proposal he had approved thereof, and was of opinion that the said Edward Earl Digby, Sir Edwin Francis Stanhope, and the Petitioner, Daniel Burr, were the most proper persons to be appointed Committees of the Person and Estate of the said Dowager Duchess of Norfolk, the Lunatic. And that by an Order made in the said matter on the Petition of the Right Honourable Edward Earl Digby, Sir Edwin Francis Stanhope, Baronet, and Daniel Burr, and dated the 13th of August, 1817, it was ordered that the Master's said Report should be confirmed; and it was further ordered that the custody of the person and the care and management of the Estate of the said Lunatic, should be granted to the Petitioners the Right Honourable Edward Earl Digby, Sir Edwin Francis Stanhope, Baronet, and

Daniel Burr, Esquire, they first giving security as therein mentioned. And it was thereby further ordered that William Wingfield, named in the said Petition, should be continued the Receiver of such of the Estates of the said Lunatic, whereof he had already been appointed Receiver, with under and subject to the several powers and directions in that behalf contained, in an Order made in the said matter, bearing date the 22nd of June, 1816. And that the said Frances Dowager Duchess of Norfolk, departed this life on the 22d day of October, last, without issue, and without having made or executed any appointment or disposition of her real or personal Estate, and that the Petitioners, John Parsons, Mary the Wife of the Petitioner, Daniel Burr, and Ann Susannah Davis, had been as aforesaid reported by the said Master to be, together with the said Sir Edwin Francis Stanhope, Baronet, the Co-heirs at Law of the said Frances Dowager Duchess of Norfolk, and were therefore as he conceived entitled to be let into possession of the said premises mentioned in the said Indenture of Settlement, jointly with the said Sir Edwin Francis Stanhope, whom the said Master had reported to be the other Co-heir of the

said Lunatic, The Petitioners therefore prayed that the said William Wingfield, the Receiver appointed in this matter, might be directed to let the Petitioners, John Parsons, Daniel Burr, and Mary his Wife, in right of the said Mary and Ann Susannah Davis, into possession of the said real Estates of the said Dowager Duchess, comprized in the said Indenture of Settlement of the 22nd and 23rd of March, 1771, and in the five recoveries suffered thereon jointly with the said Sir Edwin Francis Stanhope, as the Co-heirs of the said Lunatic, or that I would be pleased to make such further or other Order on the subject as to me should seem meet. And whereas Sir Edwin Francis Stanhope, Baronet, did on the day of November last, prefer his Petition to me, stating to the effect aforesaid, and praying that the said William Wingfield, the Receiver appointed in this matter, be directed to let the Petitioner into possesion of the said real Estates of the said Dowager Duchess, comprized in the said Indenture of Settlement of the 22nd and 23rd of March, 1771, jointly with the said John Parsons, Mary the Wife of the said Daniel Burr, and Ann Susannah Davis, as the Co-heirs of the said Lunatic, or that I

would make such further or other Order in the said matter as to me should seem meet; whereupon I ordered all parties concerned to attend me on the matter of the said Petitions, on the then next day of Petitions, whereof notice was to be given forthwith; and the matters of the said Petitions coming on to be heard before me on this day, in the presence of Mr. Hart and Mr. Shadwell, of Counsel for the Petitioners, John Parsons, Daniel Burr and Mary his Wife, and Ann Susannah Davis, Spinster; of the said Mr. Hart, and Mr. Wrottesley, of Counsel for the Petitioner, Sir Edwin Francis Stanhope, Bart.; of Mr. Sugden, of Counsel for the Honorable Charles Fitzroy; and of Mr. Heald, of Counsel for Robert Jackson, named in the Petition. Now, upon hearing the said Petitions, and the several affidavits of Arthur Clarke, Sharon Turner, Joseph Spencer, Judge Cary, Maria Jackson, Rowland Wimburne and Charles Pugh, read, and what was alledged by the Counsel aforesaid, I do think fit, and hereby declare, that I do not think it proper to interfere in the question whether Robert Jackson, or the Petitioners, Sir Edwin Francis Stanhope, John Parsons, Daniel Burr, and Mary his Wife, and Ann Susannah Davis, are

entitled to the real Estates of Frances, late Duchess Dowager of Norfolk, as the Heirs or Heir at Law of the said Duchess. And I do think fit and hereby further order that William Wingfield, Esq. the Receiver of the Rents and Profits of the Estates of the said late Duchess, do continue to act as Receiver of the Rents and Profits of the said Estates of which he is now Receiver, under the said Order made in this matter on the 23rd of August, 1817 (except as after mentioned), until the arrears of such Rents and Profits due at the time of the decease of the said late Duchess are fully paid or satisfied. And upon receipt thereof, I do hereby further order that the said William Wingfield do deliver up the possession of one undivided moiety of such Estates, except as hereinafter mentioned, to the Petitioner, Sir Edwin Francis Stanhope, Baronet, and of one undivided one-fourth part thereof to the Petitioner, John Parsons, Esquire, of one undivided one-eighth thereof to the Petitioners, Daniel Burr and Mary his Wife (in right of the said Mary Burr), and the remaining undivided one-eighth part thereof to the Petitioner, Ann Susannah Davis, Spinster, which the said Master, by his Report of the 13th day of May, 1817, finds to be the Co-heirs at Law of the said late

Duchess, and I do hereby further order that the said William Wingfield do continue to act as Receiver of the Rents, Issues, and Profits of such parts of the Estates of the said late Duchess, as are or are supposed to be of the nature or tenure of ancient Demesne or Gavelkind or Leasehold, and also such of the Manors, Messuages or Tenements, Lands and other Heredits mentioned and comprized in two several Indentures, the one bearing date the 2nd day of December, 1740, made between the then Duke of Beaufort of the first part, Frances then Duchess of Beaufort of the second part, Charles Cotes, the elder, of the third part, Uvedale Price and Charles Cotes, the younger, of the fourth part, and John Barnes and John Hodges of the fifth part, and the other Indenture bearing date the 20th day of May, 1749, and made between Charles Fitzroy Scudamore and Frances his Wife, of the first part, Uvedale Price (who had survived Charles Cotes, the younger), of the second part, and Thomas Fisher and John Boult, of the third part, being the Manors, Messuages, or Tenements, Lands and other Heredits to which the Honorable Charles Fitzroy hath laid claim, until further order.

ELDON.

In pursuance of the preceding Order, the Estate in Hereford and Monmouth, was taken possession of, on April 28, 1821, by Sir Edwin Francis Stanhope, Bart. John Parsons, Esq. Lieutenant-General Burr, his Lady, and Miss Davis, as the Co-heirs at Law of her Grace, being the descendants of Sir James Scudamore, from whom her Grace inherited this fine property.

The following is the Rental of the Duchess of Norfolk's Estate in the Counties of Hereford and Monmouth, under the collection of Thomas Braithwaite, on the 2nd day of February, 1816.

Tenants Names.	Situations and Names of Farms.	Measure.			Ann. Ren	
	HOM LACY.	A.	R.	P.	*l.*	*s.*
John Hudson, Jun.	Lower Bogmarsh Farm - -	467	0	8	660	0
James Stevens -	Hollenton and Gannah Farms -	406	2	11	506	0
Richard Prince -	Upper Bogmarsh Farm - -	427	3	21	462	0
John Smith - -	The Bower Farm - - -	300	3	6	444	0
John Jones - -	Billingsley Farm - - -	354	2	29	290	0
Frederick Green -	The Tump Farm - - -	38	0	21	40	0
Benj. Morris, Sen.	Shipley Farm and Fishery - -	14	2	9	39	0
Messrs. Purchas's	Byefield Meadow - - -	9	2	10	26	5
John Hudson, Sen.	The Pound House and Land -	10	3	24	20	0
Benj. Morris, Jun.	Cournan Hill Cottage and Land -	10	0	23	18	0
Richard Walwyn -	Sundry Meadows - - -	11	2	27	17	10
George Cutter -	Blacksmith's Shop, Cottage & Land	2	2	27	11	0
John Preece - -	Bower Cottage and Land - -	3	2	20	8	0
Francis Ward -	Hannah's Green Cottage and Land	3	2	10	7	10
James Scudamore	Bogmarsh Lane Cottage and Land	9	1	16	5	5
Cornelius Jones -	Bogmarsh Cottage and Land -	2	1	15	5	0
John Adams - -	Hill Bridge Cottage and Land -	1	2	12	4	0
John Thomas -	Bower Cottage and Land - -	0	2	10	2	2
Thomas Parlor -	Bowmarsh Cottage and Land -	1	3	2	1	1
Ann Pocknall - -	Hannah's Green Cottage & Garden	0	2	10	2	2
William Wellington	Bower Cottage and Garden -	0	0	20	1	0
Fanny Preece -	Bower Cottage and Garden -	0	0	20	0	10
Thomas Bray -	Bower Cottage and Garden -	0	0	30	0	10
Thomas Hall, Jun.	Bogmarsh Cottage and Garden -	0	0	25	0	10
Richard Andrews -	Tars Mill Cottage and Garden -	0	1	10	0	10
John Morgan - -	Tars Mill Cottage and Garden -	0	2	20	0	10
George Seall - -	New Town Cottage and Garden -	0	2	0	0	10
Richard Townsend	New Town Cottage and Garden -	0	2	0	0	10
William Witherstone	New Town Cottage and Garden -	0	2	0	0	10
P. Witherstone, Sen.	New Town Cottage and Garden -	0	2	0	0	10
P. Witherstone, Jun.	New Town Cottage and Garden -	0	2	0	0	10
William Thackway	New Town Cottage and Garden -	0	2	0	0	10
James Harris -	The Moat Cottage and Garden -	0	2	0	0	10
John Cooper - -	Bogmarsh Cottage and Garden -	0	1	10	0	10
Thomas Suff - -	Hill Bridge Cottage and Garden -	0	2	0	0	10
Betty Grubb - -	Land at New Town - - -	0	2	0	0	10
Edward Wargin -	Bower Cottage and Garden -	0	1	0	0	10
George Pocknal -	Bower Cottage and Garden -	0	0	20	0	10
Ann Prosser - -	Bower Cottage and Garden -	0	0	25	0	10
Betty Powell -	Bower Cottage and Garden -	0	1	0	0	10
Susan Wall - -	Bower Cottage and Garden -	0	0	10	0	10
Ann Saysell - -	New Town Cottage and Garden -	0	1	0	0	10
Thomas Hall, Sen.	Hannah's Green Cottage and Land	1	3	0	0	0
Duchess of Norfolk	Sundry fields in hand, exclusive of the Deer Park - -	2087	0	21	2579	4
		127	1	10	190	0
		2214	1	31	2769	4

Present Term.	Annual Land Tax.			Remarks.
	l.	*s.*	*d.*	
t will - - -	102	16	0	The whole of the Duchess of Norfolk's Land Tax in Hom Lacy is rated in one sum.
t will - - -	0	0	0	
t will - - -	0	0	0	
n Lease for 10 years from Cands. 1814.	0	0	0	
t will - - -	0	0	0	
t will - - -	0	0	0	
t will - - -	0	0	0	Ben. Morris holds about half an acre of Meadow Land in Fownhope, at 20*s.* per annum, which the late Duke of Norfolk purchased of Mr. Stackhouse, making his rent 40*l.* per annum.
t will - - -	0	0	0	
t will - - -	0	0	0	
t will - - -	0	0	0	
n Lease for 7 years from Cands. 1815.	0	0	0	
t will - - -	0	0	0	
t will - - -	0	0	0	
t will - - -	0	0	0	A fee farm rent of 40*s.* per annum is paid to Guy's Hospital for Lands in Hom Lacy.
t will - - -	0	0	0	
t will - - -	0	0	0	
t will - - -	0	0	0

Tenants Names.	Situations and Names of Farms.	Measure.			Ann. Rent		
	ABBEY DORE.	A.	R.	P.	*l.*	*s.*	
Daniel Pearce -	Lower House Farm - -	243	0	35	260	0	
Elizabeth Cooke -	Upper House Farm - -	284	1	17	245	0	
Phillip Morgan -	Tars House Farm - -	210	1	16	185	0	
Joseph Cooke -	Jury Farm - - -	230	3	1	200	0	
James Morgan -	Curn Farm - - -	141	2	32	108	0	
James Morgan -	Quarrels Green Farm - -	99	2	0	100	0	
E. B. Clive - -	Cock Yard Farm - -	110	0	32	80	0	
Mary Harper -	Dore Bridge Farm and Inn -	33	2	0	36	0	
Benjamin Cooke -	Dore Mills Cottage and Lands	4	1	21	26	0	
John Duncumb -	Parson's Meadow - -	7	1	26	16	0	
Thomas Cotes -	Jury Bridge Cottage and Lands -	11	2	0	12	0	
Ennice Barnett -	Jury Little Meadow - -	2	3	0	5	0	
Richard Morgan -	Hill House Cottage and Lands -	15	2	15	10	0	
Ellenor Pritchard -	Forty Acres Cottage and Lands	14	2	7	10	0	
William Williams	Quarrels Green Cottage and Lands	7	2	37	6	0	
Thomas Preece -	Forty Acres Cottage and Lands	5	2	20	4	0	
William Sayce -	Pound House and Garden - -	0	1	0	3	0	
William Powell -	Dore Bridge Blacksmith's Shop, Cottage and Garden -	0	2	20	2	0	
Parish of Dore -	Jones's Cottage and Garden -	0	0	30	2	0	
Ditto - -	Powell's Cottage and Garden -	0	2	0	0	5	
Ditto - -	Williams' Cottage and Garden -	0	1	20	0	5	
James Morgan -	Quarrels Green Cottage and Garden	0	3	0	1	1	
John Ekley -	Forty Acres Cottage and Garden	0	2	30	1	1	
John Howells -	Cock Yard Cottage and Garden -	0	1	20	1	1	
William Cooke -	Stateham's Cottage and Garden -	0	0	30	1	0	
Ditto - -	Orchard by Dore's Lane - -	0	0	20	0	5	
Richard Powell -	The Ark Cottage and Garden -	0	2	20	0	10	
Phillip Lewis -	Quarrels Green Cottage and Garden	0	1	20	0	6	
John Lloyd - -	Cock Yard Cottage and Garden	0	1	10	0	6	
Thomas Watkins	Cock Yard Cottage and Garden	0	2	0	0	6	
Richard Morgan	Cross Ways Cottage and Garden	0	1	30	0	5	
John Pugh - -	Curn Lane Cottage and Garden	0	1	0	0	5	
Thomas Davis -	Cock Yard Cottage and Garden	0	1	0	0	3	
William Seaborn -	Cock Yard Cottage and Garden	0	1	0	0	3	
Mary Meredith -	Cock Yard Cottage and Garden	0	1	30	0	3	
William Jones -	Cock Yard Cottage and Garden	0	1	0	0	3	
William Watkins -	Cock Yard Cottage and Garden	0	1	0	0	3	
John Williams -	Cock Yard Cottage and Garden	0	1	20	0	3	
John Dickins -	Jury Lane Cottage and Garden	0	1	25	0	3	
Betty Griffiths -	Forty Acres Cottage and Garden	0	1	0	0	3	
John Jones - -	Forty Acres Cottage and Garden	0	1	0	0	3	
Ann Prosser -	Forty Acres Cottage and Garden	0	1	0	0	3	
Thomas Meredith	Dore's Lane Cottage and Garden	0	1	25	0	3	
Elizabeth Pritchard	Dore's Lane Cottage and Garden	0	1	25	0	3	
James Davis -	Dore's Lane Cottage and Garden	0	1	25	0	3	
Ann Williams -	Dore's Lane Cottage and Garden	0	1	25	0	3	
Charles James -	Hollingwood Lane Cottage & Garden	0	1	0	0	2	
		1434	2	4	1319	0	

Present Term.	Annual Land Tax.			Remarks.
	l.	*s.*	*d.*	
at will - -	43	18	8	The whole of the Duchess of Norfolk's Land Tax in Dore is rated in one sum.
Lease for 14 years from Cands. 1807.	0	0	0	
Lease for 14 years from Cands. 1807.	0	0	0	
at will - -	0	0	0	A fee Farm Rent of 39*s.* 1½*d.* per annum is paid to his Majesty for the Priory of Dore.
Lease for 14 years from Cands. 1807.	0	0	0	
at will - -	0	0	0	A fee Farm Rent of 7*s.* 10½*d.* per annum, is paid to Guy's Hospital for Lands in Dore, and for Kingston Grange 3*s.* 4*d.*; Chapple Grange 2*s.* 6*d.* and for Arundel's Land 1*s.* per annum; query if they are in Dore?
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	One half part (being an undivided moiety) of Jury Bridge Cottage and Lands, only belongs to the Duchess; the other half belongs to Mr. Cotes; the whole is 23 acres
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0

Tenants Names.	Situations and Names of Farms.	Measure.			Ann. Rent	
		A.	R.	P.	*l.*	*s.*
	HUMBER.					
William Symonds -	Humber Court Farm - -	254	2	13	213	0
Thomas Froysell -	Risbury Court Farm - -	228	0	16	165	0
Thomas Jay - -	Upper Priddleton Farm - -	223	2	27	178	0
Richard Olliver -	Lower Priddleton Farm - -	137	0	5	114	0
Francis Knill -	Risbury Wood Farm - -	56	1	30	48	0
Edmund Coldcott	Risbury Mill Cottage and Land -	12	1	17	30	0
Dilly Hill - -	Twining Ways Farm - -	31	1	17	24	0
Samuel Martin -	Butoak Gate Farm - -	24	0	5	21	0
William Lane -	Land near Docklow Church -	2	1	17	3	0
John Lewis - -	Risbury Brook Cottage and Garden	0	1	0	1	0
Parish of Humber	Two Cottages and Gardens at Risbury	0	2	0	0	15
William Symonds	Steen Bridge Cottage and Garden -	0	1	0	0	8
Thomas Eckley -	Butoak Gate Cottage and Garden -	0	1	0	0	10
William Thomas -	Butoak Gate Cottage and Garden -	0	1	0	0	10
Richard Preece -	Butoak Gate Cottage and Garden -	0	0	30	0	5
Thomas Watkins -	Risbury Cross Cottage and Garden	0	0	25	0	5
Ann Bray - -	Butoak Gate Cottage and Garden -	0	1	0	0	5
John Jenks - -	Steen Bridge Cottage and Garden -	0	1	0	0	5
Thomas Preece -	Mawkin Field Cottage and Garden	0	1	25	0	2
		972	2	27	800	5
	BODENHAM and MARDEN.					
Thomas Bennett -	Fern Farm - - -	265	1	12	415	0
Thomas Bennett -	Undivided part of the Fern -	21	0	35	28	10
Sarah Patrick -	Maund Court Farm - -	244	3	10	250	0
Edward Griffiths -	Derrydales Hope Farm - -	118	1	0	110	0
William Powell -	The Vauld Farm in Marden -	75	2	0	84	0
		725	0	17	887	10

Present Term.	Annual Land Tax.			Remarks.
	l.	*s.*	*d.*	
at will - -	9	0	0	
at will - -	7	5	0	
at will - -	7	19	0	A chief Rent of 4*s.* 6*d.* per annum is paid to Lady Rodney from Upper Priddleton.
at will - -	5	0	6	
at will - -	1	18	6	
at will - -	1	10	0	
at will - -	0	16	0	
at will - -	0	12	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
	34	1	0	Paid by the Tenants, and not allowed in their rents.
at will - -	14	14	8	A fee Farm Rent of 4*d.* per annum is paid to his Majesty from this Farm; this is one half part, being an undivided moiety.
at will - -	0	18	0	
at will - -	6	2	0	
at will - -	2	18	0	
at will - -	2	0	0	Pays 7*s.* 6*d.* chief Rent per annum, to the Lord of the Manor of Marden.
	26	12	8	Paid by the Tenants and not allowed in their rents.

Tenants Names.	Situations and Names of Farms.	Measure. A.	R.	P.	Ann. Ren *l.*	*s.*
	BOLSTON, BALLINGHAM, &c.					
James Smith	Bolston Court Farm	250	2	2	242	10
John Pearce	The Moors Cottage and Lands	3	1	0	6	0
Richard Andrews	Bolston's Cottage and Lands	2	1	10	4	5
Benjamin Prosser	Bolston's Cottage and Lands	1	3	1	3	0
William Townsend	Hancock's Cottage and Orchard	0	0	2	2	2
James Stevens	Snowden Cottage and Orchard	0	1	20	1	1
Jeffry Pritchard	The Moors Cottage and Garden	0	1	20	0	5
Phillip Elliott	Ballingham Hall Farm	417	3	25	416	0
Thomas Powell	Rock and Carey Farms in Ballingham and Little Dewchurch	148	0	6	165	1
Ann Brace	Knap Green Farm in Little Dewchurch	132	0	0	94	8
John Bennett	Lands at Altbough in Little Dewchurch and Hentland	71	3	27	53	1
Jane Palmer	Lands at Tressack in Hentland	12	0	23	12	0
James Stedd	Weaven Little Orchard in Little Dewchurch	0	1	0	0	15
Richard Garrold	Lands at ColdNose in LittleDewchurch	2	1	14	1	15
Richard Apperley	Little Ash Meadow in Fownhope	2	0	0	6	0
		1045	2	28	1008	4
	YATTON and adjacent Farms.					
James Gwillim	Calborough Farm in Upton Bishop	256	2	1	330	0
James Gwillim	Coppice Farm in Upton Bishop & Foy	104	3	8	197	0
William Brown	Dean's Place and Prill Farms in Yatton	219	0	5	200	0
John Charles	Wesmorsend Farm in Yatton	214	0	7	120	0
Elizabeth Addis	Yatton Chapel Farm	195	2	12	142	0
John Hill	LowerHouse&Davis's Farms in Yatton	179	2	2	120	0
Henry Clifford	Lynedar and other Lands and Cottages in Foy	100	2	16	67	0
Henry Powell	Lands at the Hill of Eaton in Foy	40	2	20	56	0
John Webb	Park Farm in Foy and Upton Bishop	403	0	0	354	16
Ann Bird	Land at Old Gore in Foy	12	0	0	18	0
John Jenkins	Old Gore Blacksmith's Shop and Land	1	2	2	11	0
Samuel Turner	Felhampton Farm in Upton Bishop	193	2	4	217	8
James Bennett	Townsend Farm in Brampton Abbotts	106	0	21	124	0
John Newton	Monk's Grove Willow Bed in ditto.	2	0	0	2	2
Jonathan Tourney	Cottage and Garden at the Hole in the Wall in Foy	0	2	0	1	0
Joseph Jackson	Cottage and Garden in Foy's Waste	0	2	0	0	5
Sarah Davis	Barrel Hill Cottage & Garden in Yatton	0	2	10	0	5
George Scriving	Barrel Hill Cottage & Garden in Yatton	0	1	0	0	5
William Fencott	Perrystone Hill Cottage and Garden in Yatton	0	1	0	0	5
John Thackway	Perrystone Hill Cottage and Garden in Yatton	0	1	0	0	5
Elizabeth Davis	Peartree Cottage and Garden in Yatton	0	0	30	0	5
William Davis	Baynham's Lane Cottage and Garden in Yatton	0	1	20	0	1
Richard Jones	Land at the Hole in the Wall in Foy	0	0	20	0	5
		2031	3	18	1962	2

Present Term.			Annual Land Tax.			Remarks.
			l.	*s.*	*d.*	
at will	-	-	3	16	0	A fee Farm Rent of 9*s.* 11*d.* per annum is paid to his Majesty for the Manor of Bolston.
at will	-	-	0	0	0	
at will	-	-	0	0	0	
at will	-	-	0	0	0	
at will	-	-	0	0	0	
at will	-	-	0	0	0	
at will	-	-	0	0	0	
Lease for 10 years from Cands. 1814.			18	8	9	
at will	-	-	5	12	9	Other Lands purchased by the late Duke of Norfolk, are let with this farm at 5*l.* 4*s.* per an.
at will	-	-	*2	13	9½	Ditto, ditto, at 13*l.* per annum.
at will	-	-	*1	1	4	The sums for Land Tax, marked with an asterisk are redeemed.
at will	-	-	0	0	0	
at will	-	-	0	0	0	
at will	-	-	0	0	0	
at will	-	-	0	*8	0	
			27	17	6	Paid by the Tenants, and not allowed in their rents, except Bolston Cottage.
at will	-	-	*6	6	0	Pays 8*s.* per annum, chief rent, to Rowles Scudamore, Esq. for Calborough Old Orchard.
at will	-	-	5	0	0	
at will	-	-	12	14	11	
at will	-	-	8	9	9	A Cottage and Garden purchased by the late Duke, let with Coppice farm at 3*l.* per annum.
Lease for 14 years, from Cands. 1809.			6	15	2	
at will	-	-	6	3	0	
at will	-	-	4	0	0	
at will	-	-	3	0	0	
Lease for 20 years, from Cands. 1808.			18	15	4	
at will	-	-	0	0	0	
at will	-	-	0	0	0	About 29 Acres of this farm is Leasehold, and pays 2*l.* 10*s.* 8½*d.* per annum rent, to Rowles Scudamore, Esq.
at will	-	-	*6	4	0	
at will	-	-	4	18	0	
at will	-	-	0	0	0	
at will	-	-	0	0	0	
at will	-	-	0	0	0	
at will	-	-	0	0	0	
at will	-	-	0	0	0	
at will	-	-	0	0	0	
at will	-	-	0	0	0	
at will	-	-	0	0	0	
at will	-	-	0	0	0	
at will	-	-	0	0	0	
at will	-	-	0	0	0	
			69	16	2	Paid by the Tenants, and not allowed in their rents.

Tenants Names.	Situations and Names of Farms.	Measure. A.	R.	P.	Ann. Rent *l.*	*s.*	
	DISPERSED FARMS.						
James Poole -	Lands at Stretford in Leominster	17	2	31	17	10	
John Carpenter -	Twyford Farm in Eardisland - -	171	0	0	314	0	
James Jay - -	Swanston's Court F. in Dilwyn & Burley	213	0	36	195	8	
James Bennett -	Burcott Farm in Holmer - -	127	0	22	240	0	
Sarah Roberts -	Lands in Kings Caple - -	27	2	4	63	0	
John Cooke - -	Lands in Kings Caple - -	87	1	19	144	0	
Ann Harris - -	Lands in Kings Caple -	13	3	17	28	0	
William Morgan -	Lands in Kings Caple - -	6	0	0	13	10	
Joseph Wainwright	Cary Meadows in ditto & Fownhope	13	3	14	24	0	
Thomas Prosser	Carey Wood Cottage and Lands in do.	2	0	23	2	2	
Richard Rideout -	Land in King's Capel and Cross	8	0	31	21	6	
Thomas Bennett -	Newmills Farm in Little Birch -	147	0	0	151	18	
Thomas Bennett -	Pothedar Farm and Mill in Dewchurch and Hentland -	115	2	17	124	2	
James Bennett -	White House Farm in Tretire -	210	2	0	200	0	
Mary Sier - -	Blewhenston Farm in Llanwarne -	50	3	39	50	2	
Thomas Roberts -	The Hill Farm in Llanwarne -	221	0	0	155	0	
Richard Harris -	Troughland F. in St. Weonards & Garway	122	3	27	80	0	
Thomas James -	Welch Newton Farm in Welch Newton and Llanrothel -	76	3	20	58	0	
Ann Gunter - -	Tre Evan Farm in Llangarron -	49	2	9	52	10	
Thomas Trouncer	Calow Farm in Walford -	115	0	18	208	1	
Richard Porter -	Hope Style Farm in Walford -	28	1	16	46	10	
Richard Porter -	Lands in Bridstow -	11	2	15	16	10	
Thomas Bennett -	Lands in Brockhampton -	13	2	31	14	0	
Thomas Protheroe	Lands in Brockhampton -	13	2	27	14	0	
Charles Parlor -	Lands in Brockhampton -	5	3	12	6	0	
Edward Brace -	Lands in Brockhampton -	2	3	34	3	10	
William James -	Lands in Brockhampton -	1	2	12	2	0	
Ann Brooks - -	Lands in Brockhampton -	0	2	4	0	15	
Thomas Preece -	Lands in Brockhampton -	0	1	20	0	10	
Henry Platt - -	Lands in Bridstow - -	0	2	38	1	5	
Joseph Jordan -	Land in Ross - -	1	2	16	3	4	
James Frere - -	Land in Ross - -	2	0	23	4	0	
Ann Palmer - -	Land in Ross - -	0	2	25	2	8	
Amos Jones - -	Land in Ross - -	0	3	26	1	16	
William Powell -	Tredumock Farm in Monmouthshire	116	2	5	175	0	
	CHARITY ESTATE.	1998	3	1	2433	18	
Thomas Goode -	Amberley Farm and Tithes -	204	2	6	308	0	
Thomas Henley -	A Farm in Westhide -	40	0	20	46	0	
Francis H. Thomas	Lower Hillin Farm in Much Cowarn	43	2	21	42	0	
Robert Hathway -	A Barn and Lands in Much Cowarn	40	0	0	14	6	
		328	1	7	410	6	
Paid Annually to Charity 10*l.* each to ten decayed gent.; 12*l.* 2*s.* to Curate; 5*l.* to Steward, amounting to -		0	0	0	117	2	
Annual receipts from the Charity Estate being		0	0	0	293	4	

Note, 50*l.* per annum is paid from the Estate to five poor Widows which the late Duke of Norfolk used to say he had returned from Lord Digby's Steward in London.

Present Term.	Annual Land Tax.			Remarks.
	l.	*s.*	*d.*	
at will - -	0	0	0	
Lease for 13 years from Cands. 1813.	14	10	*8	
at will - -	*5	9	4	A chief rent of 17*s.* per annum is
Agreement for 14 years from Can. 1815	*8	0	0	due from this farm.
at will - -	0	0	0	Ditto of 40*s.* per annum is due
at will - -	12	8	0	from Burcot to the Bishop of
at will - -	0	0	0	Hereford.
at will - -	0	0	0	
at will - -	*0	5	4	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	*6	7	6	A chief Rent of 33*s.* per annum
at will - -	*3	7	0	is paid to Sir Hungerford Hos-
Lease for 7 years from Cands. 1810.	9	14	0	kyns for sundry Lands in the
at will - -	1	12	6	Hundred of Wormelow.
at will - -	6	8	0	
at will - -	*2	11	4	A fee Farm Rent of 3*s.* per an-
at will - -	3	13	0	num is paid to his Majesty
at will - -	2	15	8	from this Farm.
at will - -	*8	1	4	A chief Rent of 23*s.* 4*d.* per an-
at will - -	*2	17	6	num is paid to E. Townley,
at will - -	*0	8	0	Esq. from this farm.
at will - -	*0	8	4	
at will - -	*0	8	4	A chief Rent of 4*s.* per annum is
at will - -	0	0	0	paid to the Dean and Chapter
at will - -	0	0	0	of Hereford for Lands in Brock-
at will - -	0	0	0	hampton
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	0	8	4	The whole Land Tax to Ross.
at will - -	0	0	0	
at will - -	0	0	0	
at will - -	10	5	11	A chief Rent of 4*s.* 10½*d.* per an-
	47	5	5	num is paid to Mr. Lee, of Pontypool, from this farm.
at will - -	7	16	4	Land Tax paid by the Tenants,
at will - -	2	4	0	and not allowed in their Rents.
Lease for 14 years from Cands. 1814.	1	12	0	
Lease for 99 years from Cands. 1744.	2	3	1	Said in the Lease to be 6 Acres;
	13	15	5	query if it is not as much as 40 Acres?
				Land Tax not allowed, except Hathway's 2*l.* 3*s.* 1*d.* which is allowed.

Names of Woods.	Situation.	When last cut.
Birch Grove -	Hom Lacy - -	in 1803 - -
Bowen's Coppice -	Hom Lacy - -	in 1812, 1813, 1814
Widow's Wood -	Hom Lacy - -	in 1814, 1815 -
Ramsdown Coppice -	Hom Lacy - -	in 1808, 1809 -
Moorland's Wood -	Hom Lacy - -	in 1812 - -
Shepherd's Rough -	Hom Lacy - -	in 1805, 1806 -
Bolston Wood -	Hom Lacy and Bolston	in 1801, 1802, 1803, 180
Kidley Hill -	Bolston - -	in 1806, 1807 -
The Moors -	Bolston - -	in 1806 - -
Trilloe's Court -	Bolston and Little Dewchurch.	in 1814, 1815 -
Ashen Coppice -	Little Dewchurch -	in 1815 - -
Weaven Wood -	Little Dewchurch -	in 1810 - -
Smith's Hill Wood -	Little Dewchurch -	in 1812 - -
White Thorn Wood -	Little Dewchurch -	in 1810 - -
Ballingham Wood -	Ballingham - -	in 1808 - -
Athelstan's Wood -	Little Birch and Aconbury	in 1800, 1801, 1802, 18
Gilbert's Hill Wood -	Abbey Dore - -	in 1811, 1812 -
Cock Yard Wood -	Abbey Dore - -	in 1798 - -
Scudamore's Hill Wood	Llanwarne - -	in 1806, 1807, 1808
Troughland Lower Wood.	St. Weonard's - -	in 1799 - -
Troughland Middle Wood.	Garway - -	in 1799 - -
Troughland Upper Wood.	Garway - -	in 1799 - -
Welch Newton Wood -	Llanrothel - -	in 1799 - -
Monk's Grove -	Brampton Abbotts -	in 1810 - -
Lynedar Wood -	Foy - -	in 1810 - -
Wesnorsend Wood -	Yatton - -	in 1799 - -
White Hill Wood -	Yatton - -	in 1814 - -
Yatton Wood -	Yatton - -	in 1798, 1799, 1800
Cockshot Wood -	Yatton - -	in 1804 - -
Calborough Park -	Yatton and Upton Bishop	in 1805, 1806 -
Butter Hill Wood -	Upton Bishop -	in 1806 - -
Aramstone Wood -	King's Caple -	in 1803 - -
Forge Meadow Wood -	King's Caple -	in 1805 - -
Carey Wood -	Fownhope - -	in 1807 - -
Brintlen Wood -	Brockhampton -	in 1807 - -
Lady's Ridge -	Brockhampton -	in 1807 - -
Skyrms Capley Wood	Brockhampton -	in 1807 - -

Measure.			Annual Land Tax.			Remarks.
A.	R.	P.	*l.*	*s.*	*d.*	
23	1	5	0	0	0	The Woods and Farms in Hom Lacy are rated together to the
63	0	20	0	0	0	Land Tax, at 102*l.* 16*s.* per annum.
32	2	12	0	0	0	
75	1	4	0	0	0	
15	3	1	0	0	0	
22	1	36	0	0	0	
266	0	39	3	4	0	The whole of the Land Tax for Woods in Bolston.
20	3	34	0	0	0	
1	1	0	0	0	0	
38	1	39	0	0	0	
6	2	24	0	0	0	The Land Tax for Woods in Little Dewchurch being 15*s.* per
5	3	15	0	0	0	annum is redeemed with Pothedar Farm.
4	2	31	0	0	0	
2	2	15	0	0	0	
22	1	6	0	0	0	The Land Tax is included in Ballingham Hall Farm.
207	3	34	*2	4	0	The Land Tax to Aconbury redeemed, the Land Tax to Little
138	3	8	0	0	0	Birch is redeemed with Newmill's Farm, the Woods and
10	1	1	0	0	0	Farms in Dore are rated together to the Land Tax at 43*l.*
100	2	33	2	4	0	18*s.* 8*d.* per annum.
3	3	12	0	0	0	This Land Tax is redeemed with Troughland Farm.
4	0	33	0	0	0	Ditto.
4	1	17	0	0	0	Ditto.
4	0	15	0	0	0	This Land Tax is paid with Welch-Newton Farm.
5	0	25	0	0	0	This Land Tax is paid with Townsend Farm in Brampton Abbotts
21	2	35	0	0	0	This Land Tax is paid with the Park Farm.
4	0	15	0	0	0	
4	2	33	0	0	0	
112	1	20	5	12	5	The Land Tax paid for all the Woods in Yatton.
35	3	36	0	0	0	
153	0	37	*1	8	0	The Land Tax for all the Woods in Upton Bishop which is
6	1	36	0	0	0	redeemed.
4	1	14	0	0	0	The Land Tax for all the Woods in King's Caple, is paid by
1	0	35	0	0	0	Mr. Cooke, with the lands he holds.
35	3	35	*1	1	4	
1	1	19	0	0	0	The Land Tax for the Woods in Brockhampton, 3*s.* 8*d.* is
0	0	29	0	0	0	redeemed.
6	2	6	0	0	0	
1469	0	9	11	0	5	The Land Tax unredeemed for Woods.

RECAPITULATION OF THE DUCHESS OF NORFOLK

	Measure. A.	R
To Farms and Lands in Hom Lacy, let to sundry Tenants -	2087	0
To ditto in Abbey Dore - - -	1434	2
To ditto in Humber - - -	972	2
To ditto in Bodenham and Marden - -	725	0
To ditto in Bolston, Ballingham, &c. - -	1045	2
To ditto in Yatton, Upton Bishop, Brampton Abbotts & Foy	2031	3
To ditto in dispersed Farms - - -	1998	3
To ditto from the Charity Estate - -	328	1
To two-thirds of the Corn and Hay Tithes of Witherstone in Little Dewchurch - - - - -	0	0
	10624	0
Deduct the Land Tax of Hom Lacy, Abbey Dore and Bolston, which are allowed out of the Rents - - -	0	0
Total of Rents received - -	0	0
To the Lands in Hom Lacy - - - -	127	1
To the Deer Park in Hom Lacy, is about - - -	450	0
To the Woods in hand, which at 12*s.* per Acre, per Annum, amounts to	1469	0
	12670	1

nnual Rents.			Annual Land Tax.			Remarks.
l.	*s.*	*d.*	*l.*	*s.*	*d.*	
2579	4	0	102	16	0	
1319	0	0	43	18	8	
800	5	6	34	1	0	
887	10	0	26	12	8	
1008	4	2	27	17	6	
1962	2	0	69	16	2	
2433	18	6	47	5	5	
293	4	0	13	15	5	
70	10	6	*1	4	0	
1,353	18	8	366	2	10	
150	10	8				
1,203	8	0				
190	0	0	0	0	0	
0	0	0	0	0	0	
881	8	0	11	0	5	
2,274	16	0	377	3	3	Total of the Land Tax unredeemed, and 75*l.* 5*s.* 1½*d.* has been redeemed.

On Thursday, the 30th of August, 1821, a meeting of the several parties concerned, took place at the house of Rowland Wimburn, Esq. in Chancery Lane, Solicitor, on the part of Sir Edwin Stanhope, Bart., to execute the deeds, and pass the fines for a formal and final conveyance and settlement of the lands, &c. of the late Duchess of Norfolk, in order to prevent all future controversy relative to that large and important property. And it is the object of this declaration to mention, that, during the whole of the investigation of the Holm-Lacey estates, the most honourable cordiality prevailed among the Coheirs. Nor is it to be passed by without the most pleasing and grateful acknowledgment, that in all those objects which were more distinctly attached to the interest of John Parsons, Esq. and Mrs. General Burr, they felt how much they owed to their Solicitor, Sharon Turner, Esq. to whose diligence, integrity, and professional talents they considered themselves as in a great measure indebted for the establishment of their claims on the Holm-Lacey estates; and to whose further

able and impartial exertions, they looked with the most perfect confidence, to such a partition of the extensive property as would consist with the interests, and consequently terminate to the satisfaction of all the Coheirs.

HOLM-LACEY.

Extract from the Beauties of England and Wales. Vol. VI. 1805.

"HOLM-LACEY is a venerable seat belonging to Charles Howard, Duke of Norfolk, who obtained it in marriage with Frances, daughter and heiress of Charles Fitzroy Scudamore, Esq. together with various other valuable estates in this county and in Glocestershire. The *Scudamores* came into England with the Conqueror, and originally settled at Upton, and Norton, near Warminster, in Wiltshire, but removed to Holm-Lacey in the reign of Edward the Third, after the marriage of Thomas, younger son of Sir Peter Scudamore, with Clarice, daughter of Lady Clara, of the family of the Lacies, to whom this estate had previously belonged. The Scudamores derived their name from the *Cross Patée Fitchée*, the *Scutum Armoris Divini*, which they originally bore as their arms, and which is thought to have been given them in commemoration of some memorable action in defence of the Christian Faith. Many of this family have been

employed in distinguished offices; and some of them had been recorded as eminent patrons of literature. Sir James Scudamore, father of the first Viscount Scudamore, is the legendary 'Sir Scudamore,' of Spenser, whose tale in the fourth book of the Fairy Queen, is particularly interesting. In the fifth Canto he is represented as lying down to rest in the house of the blacksmith, Care.

"John, created Viscount Scudamore, by Charles the First, was highly respected for his piety and learning. He was the particular friend of the Duke of Buckingham, and was so affected at the untimely death of that nobleman, that he relinquished his public employments, and retired to Holm-Lacey, where he quieted the emotions of sorrow, by attending to rural affairs, and has been recorded by Philips, as the first that brought the Red-Streak apple into general esteem. In 1634 he was called from his retirement, and sent Ambassador to France, where he continued several years, conducting the business of his mission with much prudence and effect. On the breaking out of the Civil Wars, he took a decided part in favour of the King; and having been made prisoner by Waller at Hereford, his estates underwent a

temporary sequestration, and he was himself deprived of his liberty for a considerable period. He died in 1670. His grandson, the last Viscount Scudamore, rebuilt the greatest part of the manor-house at Holm-Lacey about a century ago.* He was the friend of Pope, who had been introduced to Lady Scudamore by her relation, Mr. Digby: she was the only daughter of Simon Lord Digby.

"The good taste of the Duke of Norfolk, the present possessor of this seat, permits the mansion to remain unaltered, as a perfect specimen

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* "The old house, probably of brick, by "John Scudamore, Esq. within the last ten "years of Henry the Eighth, as appears by "the badges of Edward the Sixth, when Prince "of Wales, with the initials of E. P. in painted "glass about the house. The chapel was "consecrated by John Skipp, Bishop of He-"reford, June 11, 1546; and when rebuilt "was again dedicated by Philip Bisse, Bishop "thereof, on Saint Luke's day, 1715.

"In the reign of King William the house "was in a great measure rebuilt by John the "second Viscount Scudamore, having two "fine fronts of reddish stone, added to the old "building, which remains in part for offices.'

Brooke's MSS. in the Herald's College, collected in 1784.

of the style of building preferred by our immediate ancestors: we can still survey the apartments which Pope so frequently visited, and where he wrote his 'Man of Ross,' in the same state as formerly. The family portraits, and the elaborate carvings by Gibbons, but little inferior to those at Petworth and Chatsworth, are still a part of their venerable ornaments. A mansion like this, preserved in a complete state from the incongruities of modern alteration, may be ranked among our national curiosities. The apartments are decorated with many valuable paintings, by Vandyck, Jansen, Holbein, and other artists of eminent merit. In the Saloon is a very conspicuous portrait of Sir James Scudamore, equipped for a Tournament, that splendid and frequent diversion of the reign of Elizabeth. Here is also a very capital picture, by Hamilton, of *Solomon and the Queen of Sheba,* who are represented as after their first interview, in a gorgeous palace, attended by the High Priest; in the back ground are several characteristic figures, with a group of musical girls of truly eastern form and elegance: a very rich arcade adds to the magnificence of the whole picture. The subject of this picture is happily chosen, the design is

correct, and the coloring is rich and transparent; it has been exactly copied in stained glass by Eginton, for a window in the superb Castle at Arundel, which is now rising, under the auspices of the Duke of Norfolk, to almost unexampled grandeur.

"Among the other pictures, are those of LOUIS THE THIRTEENTH, and his QUEEN; the latter is depicted in the attitude of nursing her infant, afterwards Louis the Fourteenth. These were given to the Lord Scudamore, when Ambassador in France, in the time of Charles the First: they were executed by Beaubrun, the court-painter of Paris, and the cotemporary of Vandyck, but with few pretensions to rivalship. In the Cabinet is a sketch of the head of the great Lord Strafford, copied in crayons from Vandyck, by Pope, who not only amused himself with poetry, when a guest at Holm-Lacey, but also with painting."*

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* The following pictures only were remaining at Holm-Lacey, on possession being given to the Heirs at Law:

1. Three Cecils, brothers of the second Lady Scudamore and Lord Exeter, by Vandyck; over the door.
2. Sir John Packington; right hand of door.

3 His Lady, sister of Sir James Scudamore; dining room.

4. St. Anne, (by Van Lint,) over other door.

5. Sir James Scudamore in armour in the time of Queen Elizabeth, full length; right of St. Anne.

6. Sir John Scudamore (three quarters), who purchased considerable part of the estates in Queen Elizabeth's time; left of fire-place.

7. His lady, formerly Vaughan; next.

8. First Lord Scudamore, (half,) over the door in the dining room.

9. James Scudamore, son of the first, (in black); between the windows.

10. Lady Scudamore, (full length), in blue; left of St. Anne.

11. Second Lady Scudamore, (three quarters), between the windows.

12. Last Lord, in armour, (half length), right of the fire-place.

13. Honourable John Scudamore, brother of the last; one of the Herefordshire Rakes; right hand of the last.

14. Sir Barnabas, who defended Hereford for King Charles.

15. Sir Barnaby Scudamore, K. B. of Ballingham.

With some few others of less note.

INSCRIPTIONS, MONUMENTAL,

&c.

On a Tablet in the Parish Church of Banstead, in the County of Surry.

Near this Place
are deposited the Remains of
LUCY,
the Wife of MAJOR GENERAL DANIEL BURR,
and Daughter of THOMAS PARRY, Esq.
A Director of the East India Company.
She Departed this Life
the 17th of November, 1805,
in the 32nd Year of her Age.

Ah! should Love's eloquence thy worth attest,
Could he who felt it deepest, paint it best,
The Stranger's eye might doubt the glowing line,
Nor deem the picture mortal, but divine:
But praise thou need'st not—the wide-flowing tear
Speaks words too strong to ask eulogium here.

R. P.

On a Tablet in the Parish Church of Banstead, in the County of Surry.

1805.

Mrs. Lucy Burr gave towards
the Relief of Poor Aged and Infirm
Inhabitants of this Parish, the Sum of
Five Pounds per Annum, for ever, to be
distributed on the Monday following
Advent Sunday in every Year, by
the Trustees in such manner as
they shall judge proper.

Harwich, August 19, 1807.

DEAR SIR,

I was favoured with your letter to day; the little property which I have in the funds, is in the 3 per cent. Consols; and my name stands there in this manner, viz. "William Whinfield of Harwich, Clerk."

If it is the General's pleasure to invest his benefaction to the poor of the Parish of Ramsey, in my name, I shall feel it my duty that his benevolence shall have its effect according to his wish; and I will take an early opportunity of making, in the Parish Book, a full entry of the purpose for which the money is given; and if the General should approve of it, I shall have engrossed in a neat Tablet, and placed in Ramsey Chuch, the intention of the donor.

You will oblige us by presenting our most sincere respects to General Burr; and you, and Mrs. Garling will be pleased to accept them.

Yours, very truly,

(Signed) W. WHINFIELD.

John Fred. Garling, Esq.
Red Lion Square.

On a Tablet fixed up in the Parish Church of Ramsey, in the County of Essex.

1807.

MAJOR GENERAL BURR,
in affectionate remembrance of his deceased
Parents, DANIEL BURR, Esq. and
Mrs. ELIZABETH BURR, who resided long in
this Parish, greatly esteemed and
respected, gave One Hundred and Sixty-six
Pounds Thirteen Shillings and Four-pence,
3 per Cent. Bank consolidated Annuities,
the Annual Interest arising therefrom
being Five Pounds, to be applied
to the Relief of the Poor of this
Parish, under the direction of
The Rev. William Whinfield, Minister.
Mr. John Woodruffe,
Mr. George Simpson, } *Church Wardens.*
and of the succeeding Ministers and Church
Wardens of this Parish in perpetuity.

Harwich, 19th of February, 1821.

Sir,

I am desired by the Committee superintending the rebuilding our Parish Church, to acknowledge the receipt of your kind letter addressed to the Reverend William Whinfield, announcing your very liberal subscription of One Hundred and Five Pounds, in favor of that desirable and important occasion. And I have to assure you, that yourself with very many others of the like generous inclinations, have contributed in a manner, far exceeding the most sanguine expectations, and but for which, such an undertaking could not have been ventured upon, with any fair view of success; In proportion therefore, to your encouragement, so equally are the Parishioners grateful for the munificent services you have thus rendered them, in the promotion of an object which, it is hoped will hand to posterity a fabric worthy of the British Constitution.

I beg leave to inform you, that Mr. Thomas Cobbold, as Chairman of the Committee, has this day drawn on Messrs. Willis and Co. your Bankers, for the amount, to the order of Mr.

Anothy Cox, the Treasurer, in conformity, it is hoped, with your intention.

I have the honor to be,

Sir,

Your very obedient humble servant,

B. CHAPMAN, *Secretary.*

On Tablets in St. Mary's Church, Chepstow.

FRANCIS DAVIS, ESQ.
Died 7th of August, 1766, Aged 58.
In testimony of the highest regard to the
Memory of a most tender Husband,
kind Parent,
and sincere Friend,
this Monument is erected
by his afflicted Family.

ANN DAVIS, relict of the above FRANCIS DAVIS,
and Daughter of JAMES HIGFORD, Esq.
of Dixton, in the County of Gloucester,
Died, 30th September, 1772, Aged 54 Years,
whose many virtues secured
the constant affection of
a worthy Man,
and claim the pious remembrance
and imitation
of her Children and Friends.

SUSANNA HIGFORD,
Relict of JAMES HIGFORD, Esq.
Died 22nd of November, 1779, Aged 70 Years.

James Davis, Esq. Son of Francis Davis,
by Ann his Wife, Died January 8, 1780,
Aged 36,
Who by an exemplary behaviour
as a Gentleman and a Christian,
had acquired the character
of a truly good man,
and recommended himself
to the cordial esteem of all
who knew him.

James Davis, Esq. Son of the above J. Davis,
and late a Lieutenant in the 33d Reg. of Foot,
Died at the Cape of Good Hope,
August 22, 1798, Aged 24.

Rev. Francis Davis, LL. D. Son of the above
James Davis, who perfectly understood,
and conscientiously discharged with
fervour, prudence, and sincerity, the extensive
and important duties of a Clergyman
and a Magistrate,

He was of unshaken constancy and inflexible integrity, his mind was upright and sincere, his understanding comprehensive and steady, his manners, plain, pure, and simple, with all these virtues, and fewer failings than human life is generally subject to, he died much lamented, the 24th of January, 1802, Aged 29.

Multis ille quidem flebilis occidit.

On a Tablet in Hom Church.

Sacred to the Memory of
FRANCES FITZROY SCUDAMORE,
Wife of COLONEL FITZROY SCUDAMORE,
and the only Daughter and Heiress of
JAMES the Third and last VISCOUNT SCUDAMORE,
who was Born 14th August, 1711, and
Died 27th February, 1749, *O. S.*
Aged 38 Years,
And of her Daughter
FRANCES, DOWAGER DUCHESS OF NORFOLK,
Widow of the Most Noble
CHARLES, DUKE OF NORFOLK,
who was Born 10th February, 1749, *O. S.* and
Died 22nd October, 1820,
Aged 70 Years.
This Tablet was erected by her Co-heirs,
SIR EDWIN FRANCIS STANHOPE, BARONET,
lineal descendant of MARY, Wife of
SIR GILES BRIDGES, BARONET,
the eldest Daughter of
SIR JAMES SCUDAMORE, KNIGHT,
and Sister of the First LORD SCUDAMORE,
VISCOUNT SLIGO, *and* BARON OF DROMORE,
and JOHN PARSONS, Esq.
ANN SUSANNA DAVIS,
And MARY the Wife of
LIEUTENANT GENERAL DANIEL BURR.

the lineal Descendants of Frances, Wife of
John Higford, Esq.
another Daughter of
Sir James Scudamore,
and Sister of the first
Lord Scudamore.

On a Black Marble Tomb in Hom Church.

Sacred to the Memory of
Frances Fitzroy Scudamore,
Wife of
Colonel Fitzroy Scudamore,
who Died 27th February, 1749, *O. S.*
Aged 38 Years.
And of her Daughter,
Frances, Dowager Duchess of Norfolk,
Widow of the Most Noble
Charles, Duke of Norfolk,
who Died 22nd October, 1820,
Aged 70 Years.

Died at Masulipatam, on the 20th May, 1793,

GEORGE BINNY, ESQ.*

A strong understanding joined to a kind heart, rendered him an useful member of society, and a blessing to all who wanted his assistance. The firmest honor and integrity accompanied with the mildest temper, drew the confidence of all ranks, and his influence was always employed in doing good.

To all he was a Benefactor.

His friendship was silent and watchful to serve.

His learning was solid and unaffected.

His conversation was pleasing, correct and instructive, and marked the superiority of his mind. And the grateful impressions of Esteem and Affection which he has left in the breasts of all who had the honor of his acquaintance, will long hand down the remembrance of his inestimable worth.

* See Memoir, p. 61.

Inscription on a Silver Vase.

A Testimony of
Acknowledgment on the part of
Major General Burr,
to the truly disinterested and zealous conduct of
Captain Francis Lynch,
by his very useful Services in aid of the
Capture of the Island of Ternate,
which he volunteered under the loss of
great private advantages.

London: Printed by W. Bulmer and W. Nicol,
Cleveland-row, St. James's.

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